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### **Editor**

Roger A. Shiner  
Department of Philosophy  
University of Alberta  
Edmonton, Alberta, Canada  
T6G 2E5

### **Editeur associé**

J. N. Kaufmann  
Département de Philosophie  
Université du Québec à Trois-Rivières  
C.P. 500  
Trois-Rivières, Québec, Canada  
G9A 5H7

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## Editorial Note / Note des Editeurs

The Editor of **C.P.R./R.C.C.P.**, Prof. Roger A. Shiner, will be away on research leave in 1984-85. The Acting Editor during this period will be Prof. Allen Carlson of the Department of Philosophy, University of Alberta. Editorial correspondence in English should be directed during this period to Prof. Carlson.

Ms. Ruth Richardson of Academic Printing and Publishing has been appointed Managing Editor.

## Expansion / Extension

In view of the strong support received for the idea of fuller and consistently quick reviewing, the publisher has agreed to expand the numbers of issues of **C.P.R./R.C.C.P.** published per year. We will continue to publish *one* volume per year. However, each volume will now contain *ten* issues. Issues will appear in every month of the academic winter session and in two summer months - that is, in January, February, March, April, June, August, September, October, November and December. Each issue will be a maximum of 48 pp., except for the December issue which will be a maximum of 80 pp., and will contain the Index.

We hope by this expansion **C.P.R./R.C.C.P.** will consolidate its position as the most important source for information from book reviews in North America.

## Note des Editeurs / Editorial Note

L'Editeur de **C.P.R./R.C.C.P.**, le professeur Roger A. Shiner, sera absent durant l'année 1984-85 pour un congé d'études. Durant cette période, le professeur Allen Carlson du Département de philosophie de l'Université d'Alberta, assumera la fonction d'éditeur. Toute correspondance concernant la partie anglaise de l'édition devra donc être envoyée au professeur Carlson.

Mme Ruth Richardson de l'Academic Printing and Publishing a été désignée Editeur administratif.

## Extension / Expansion

L'idée d'une plus grande et plus rapide recension ayant reçu un très solide appui, la maison d'Édition a accepté d'augmenter le nombre de numéros par volume de **C.P.R./R.C.C.P.** publié chaque année. Nous continuerons de publier *un* par an. Cependant, chaque volume comprendra désormais *dix* numéros. Ils paraîtront à chaque mois de la session académique d'hiver et aux deux mois durant l'été - c'est-à-dire en janvier, février, mars, avril, juin, août, septembre, octobre, novembre et décembre. Chaque numéro aura un maximum de 48 pages, sauf celui de décembre qui atteindra un maximum de 80 pages et comprendra l'Index.

Nous espérons que par cette extension **C.P.R./R.C.C.P.** pourra consolider sa position comme la plus importante source d'information de l'Amérique du Nord en matière de recension.

SISSELA BOK, *Secrets*. New York: Pantheon Books 1983. Pp. xvii + 332. US\$16.95. ISBN 0-394-51581-1.

This is an interesting and valuable book, more so than the author's earlier *Lying*. The two books share many features in common. Both are, obviously, attempts to direct some philosophical rigor towards practical moral problems. Both books present a useful collection of examples, cases, and illustrative problems. Each book is opposed to the phenomenon with which it deals, although not to the same extent. Bok is almost totally opposed to lying: there are some conceivable circumstances in which it might be morally permissible, but these are rare and the morality of the lie would always have to be demonstrated. Secrecy — defined as intentional concealment — is not so straightforward. Bok thinks that secrecy is often perfectly legitimate, but it also can be harmful. The book attempts to deal with the problem of when and under what circumstances secrecy is or is not legitimate.

*Secrets* then faces a more complex and difficult task than *Lying* did. To some extent it is successful. The range of cases discussed is impressive: individual secrecy, secret societies, gossip, confidentiality, business secrecy, scientific secrets, government and military secrets, and so on. There is much for any reader to learn from these examples. They are presented lucidly and thoroughly and are discussed in a *generally* useful and appropriate way.

I say 'generally.' There are, I think, three problems with the discussion. The first is the absence of a theoretical basis. The second is Bok's ambivalence about secrecy. The third is her willingness to rely on possibilities rather than facts.

First, theoretical basis. One of the interesting features of *Lying* is that it presented a fairly carefully worked out basis for opposition to lying: lying is wrong because it is like clearly bad things, because it is incompatible with the golden rule and because it is incompatible with the public nature of true morality. I think these claims about lying are incorrect, but if you accept them then much of what Bok says about the individual cases of lying seems plausible enough. *Secrets* does not attempt to work out the underlying theory. The



closest it comes to it is in Chapter II, 'Secrecy and Moral Choice,' where Bok attempts to build a case for the legitimacy of secrecy. She imagines four societies which differ from our own in the extent to which secrecy is real or possible: in one you and I are transparent but some others can keep secrets, in a second we can keep our secrets but see into others, in a third no one can keep secrets, in a fourth everyone can.

Bok regards all four of these societies as bad. Too little secrecy leaves me vulnerable, and threatens my sense of identity and indeed even my sanity. Too much secrecy leaves us insecure and ignorant. An unequal division of secrecy makes those with more into intruders and manipulators. Secrecy is necessary to protect ourselves in all respects: in our sense of identity, in our plans, in our actions, and in the preservation of our property. And in any case, it would be fruitless to attempt to destroy secrecy and make people transparent:

Human beings can be subjected to every scrutiny, and reveal much about themselves; but they can never be entirely understood, simultaneously exposed from every perspective, completely transparent either to themselves or to other persons. They are not only unique but unfathomable. The experience of such uniqueness and depth underlies self-respect and what social theorists have called the sense of "the sacredness of the self." (21)

This is certainly not a silly attitude to have towards secrecy. But it is not obviously correct, there are alternatives, and Bok does not argue for it at all. Rather, she simply states, and presumably feels that if it is stated clearly enough everyone will agree. It is not clear that everyone should agree. Many people have believed in a considerably more open society in which little if anything is held private. Some of us, given our upbringing, might be uncomfortable in such a society. But it is quite different to think that privacy is such an essential part of our human nature that it is needed to preserve our sanity. If the attitude expressed in the above quotation were correct then the value of privacy and secrecy would be obvious. But that attitude must, at the very least, be supported and not just assumed. We should always be suspicious about any attempts to base important things on mysteries. Self-respect is surely important. It is not at all obvious that it is not compatible with complete knowledge and with openness. Bok assumes that it is incompatible.

The second problem with Bok's account is the ambivalence it expresses about secrecy. This may seem odd, given the strong positive view just presented. But she is also aware that secrecy presents many problems, some of the same ones that lying does: it allows a person to conceal matters in ways which can distort information, weaken judgement, cause corruption, and so on. Bok finds these negative features particularly strong in the case of institutional secrecy, since institutions are not persons and do not have the *prima facie* need for privacy defended by secrecy. Secrecy then is seen as something which is necessary to a greater good and which also can cause considerable harm. It cannot be simply accepted nor can it be simply condemned. It has at least the possibility of good and evil in it and Bok points out both.

However, she fails to provide much of a solution to these mixed feelings because of the third problem. Both *Lying* and *Secrets* are weakened by Bok's willingness to make arguments out of possibilities, to use a lot of words like 'can,' 'may,' 'possibly' and so on. One example from *Secrets*. Bok finishes her discussion of the third imaginary society, the one where nobody can keep secrets, with the line: 'It is not inconceivable that the end result of a shift to the third imagined society would be chaos.' (18). True, it is not inconceivable, since few things are. But is it likely? Is there any reason to think that it would happen? Will losing privacy really make us insane? Is secrecy in fact harmful, or rather more harmful than helpful, in scientific research? What would be the result if businesses or governments actually attempted to operate in the open?

I have no set of facts to offer as answers to these and related questions. But neither does Bok. And that is a disappointing state of affairs for her book. At the very least, her book, if successful, should provide a case against a person who believed in the value of large-scale institutional secrecy. It fails to provide such a case. A utilitarian who believes that secrecy causes far more good than harm would find nothing in this book to challenge that belief.

MICHAEL STACK  
University of Manitoba

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DWIGHT BOLINGER. *Language: The Loaded Weapon*. London and New York: Longman 1980. Pp. ix + 214. US\$11.95. ISBN 0-582-29108-9.

Bolinger is a linguist who here offers his reflections on the use and abuse of language. His premise is that 'language has a structure that must somehow influence the way its speakers view the world' (viii). The occasion for these reflections, it appears, is the current controversy about language precipitated by the likes of Edwin Newman and John Simon. That scene is set in Chapter 1, 'Lo, The Shaman.' Bolinger's hope is to convince the shaman, and those who are concerned about the state of language that the linguist has something to offer.

I found this book to be a rich source of anecdotes and illustrations of various sorts of linguistic malfeasance which could well serve to heighten one's awareness of the hazards of language use. However, I am not sure that philosophers will find this book illuminating. The thesis stated above recedes



rather rapidly into the background after the introduction. Although it emerges from time to time, the author's methodological tendency is to reel off point after point without taking the pains to show how they accumulate to advance the truth of his thesis. Hence the book is weak dialectically and, as one might expect, not particularly sensitive to the demands of a philosophical treatment of language.

Bolinger is given to categorical assertion:

Bias is so pervasive that hardly a sentence in normal speech lacks it, and many utterances contain little else. (71)

As an example, the author offers us an analysis of the sentence 'Why did you have to go and let yourself be talked into that?' He writes:

It swamps the hearer with a flood of accusations that are unanswerable because they are not slated but presupposed. The victim usually endures (sic) but would be entitled to reply point by point:

As to *why*, I don't owe you any explanations.

As to my *having to*, there were no compulsions that I am aware of.

As to *go and*, you imply that I acted willfully, whereas I was only trying to be reasonable.

As to *let myself*, you suggest that I was out of control, when I was just as responsible as the other person.

As to *being talked into*, I did my share of talking and I think I got a bargain. (71)

No doubt there are situations, contexts, that call for just such a point by point rebuttal. But surely the point here is that context is all important. (Generally, Bolinger makes his points about bias without any reference to the context.) The author presumes one sort of context, but others are imaginable. Suppose this sentence is said by a wife to her husband in the following circumstances: the two jointly reviewed their budget and mutually agreed not to make any major purchases for the next month. The very next day, the husband purchases \$700 worth of stereo equipment.

Other examples of categorical pronouncement:

It is hard to think of an adjective in common use that does not bring to mind some biased meaning. (76)

One of Bolinger's examples: blue (and downhearted). Two points. (1) What is the point of saying that the adjective is biased? The ultimate source of bias is the user of language — a point that Bolinger nowhere makes. (2) Where is the reference to context? The Labatts Brewery advertises its beer by constant reference to 'blue.'

Elsewhere he asserts:

The world is a vast elaborated METAPHOR. (141)

(Bolinger has the irritating practice of CAPITALIZING words.)

Metaphor at both extremes — infancy and the pinnacles of science. In between it should come as no surprise that every thought and utterance is charged with it. (143)

Well, this will surprise some philosophers, I suspect.

The writing is generally lively, though occasionally a metaphor gets mixed:

Whether formally as part of their semantic structure, or through associations picked up along the way, the meanings of words lie at varying depths. To traverse them is to cross a minefield where every step triggers a silent explosion in the brain. (83)

Some chapters are better than others. Chapter 9 deals with the sexist nuances in language and here Bolinger is quite good. Chapter 11 'The jargonauts' contains some amusing instances of that phenomenon which one might wish to incorporate into the inventory, and Bolinger rounds off his account with a balanced perspective.

Although the level of philosophical dialectic and background is not high, I do not wish to create the impression that the book is not worth reading. It is, provided one approaches with the right expectations. I hope that this review will help the interested reader to do that.

RALPH H. JOHNSON  
University of Windsor

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JOHN D. CAPUTO. *Heidegger and Aquinas: An Essay on Overcoming Metaphysics*. New York: Fordham University Press 1982. Pp. 308. US\$35.00 (cloth: ISBN 0-8232-0197-9); US\$17.50 (paper: ISBN 0-8232-1098-7).

Notwithstanding their differences, Thomists and Heideggerians have presumed unabashedly to share in what Heidegger once termed 'a "lovers' quarrel" over the matter itself,' i.e., a dialogue about Being in its difference from beings and thus about the fate of metaphysics in general. As often as not, however, this 'quarrel' has been more of a spat than a thoughtful confrontation. Typically, the Heideggerians have situated Aquinas squarely within the



so-called 'onto-theo-logical' constitution of metaphysics and thus within the prevailing 'oblivion of Being' (*Seinsvergessenheit*) which marked for Heidegger all metaphysics as such. Yet they have done so without attending to the deeper resonances in St. Thomas' own meditations on *esse*. The Thomists, for their part, have stressed the peculiarly 'existential' character of Aquinas' metaphysics as the sole significant exception to Heidegger's charge of 'oblivion.' Yet they have done so without appreciating the full radicality of Heidegger's critique.

In the face of this impasse, a more detailed 'explanation' (*Erläuterung*) and juxtaposition of doctrines has not succeeded. For the fault is not chiefly one of scholarship, and 'a confrontation which does no more than draw up a catalogue of common traits and points of difference is no more than a curiosity' (1). What is required instead is a 'situating interpretation' (*Erörterung*), one that enters actively into the dialogue over Being at that juncture which the work of both thinkers, (in what each expressly says and in its implicit unthematized dimensions), opens up and allows us to experience. Now, if this were merely a fanciful reconstruction, it too would be a 'curiosity.' But in the movement of 'interpretation' there lies properly a more 'truthful' recovery of the depths of a thinker's thought (cf. 247-50), in Heidegger's terms, 'a disclosure of its hitherto concealed original possibilities.' Nonetheless, the chief task is not to provide a more accurate accounting of each thinker's claims. 'What matters in a genuinely philosophical confrontation is that something be brought forth about the nature of things (*rerum natura*), about the matter to be thought (*Sache des Denkens*)' (1).

It is on these terms, within the circle of explanation/interpretation, that Caputo broaches the Heidegger/Aquinas controversy. Equipped with a comprehensive knowledge of both thinkers, he seeks beyond all 'party lines' to explain the explicit essential differences between the thinkers themselves in the contrast of 'causal' and 'alethiological' thinking. Moreover, he uses the challenge which each thinker poses for the other to evoke in both what is deepest and most illuminating, while at the same time, to move beyond the limitations of each. In the spirit of Heidegger, this move constitutes a 'step back' into the 'essence' of their thought, one that presages a new meditation upon Being and a progress toward the 'overcoming' of metaphysics and the metaphysical *ratio*.

At the level of explanation, Caputo does side with the Heideggerians. 'It [is] my contention,' he writes, 'that if one appreciates the radicality of Heidegger's critique, and if one understands St. Thomas *in his own historical actuality*, then Heidegger's critique of metaphysics holds true even of St. Thomas' (211; my italics). To be sure, there is a thinking of Being in St. Thomas, but as the *ipsum esse subsistens* that is the ontological 'cause' of beings, not as the revealing/concealing process, the 'groundless ground' that lets beings be. Similarly, there is an important ontological difference in St. Thomas, a difference between *esse subsistens* and *ens participatum*, but not *the* ontological difference as the 'event' of Being in its difference from beings, i.e., the 'dif-fering' itself. 'It is not the distinction between Being and beings

i.e., the 'dif-fering' itself. 'It is not the distinction between BEING and beings which concerns Heidegger,' Caputo observes, 'but that which opens up the distinction in each and every metaphysical epoch' (3). It is the *Es* in the *Es gibt Sein*, the *Ereignis* that grants the epochal revelations of Being itself, which Aquinas leaves, *and must leave*, in oblivion.

Caputo consolidates this reading by considering some current Thomistic approaches to Heidegger on four key issues, viz., the relation of the Heideggerian *Sein* to *ipsum esse subsistens*, to the transcendental *verum* and to *esse intentionale*, and the relation of *alētheia* to the Thomistic 'participation of Being.' In each case, he attempts to show that if one takes Aquinas' texts on the level of what Aquinas intended to say, (as Caputo reads it), then the position arrived at is inescapably 'metaphysical' in Heidegger's pejorative sense, because it is 'aetiological.'

With this literal reading, however, 'we shall never bring Heidegger and Aquinas into a living relation with one another' (246). It is through the hermeneutical retrieval of the implicit fundamental dimensions of Aquinas' thought, *das im Sagen Ungesagte*, that for Caputo the dialogue is truly opened. In Aquinas' teaching, he argues, there lies a profound, though implicit, mysticism, the revelation of an ultimate unity of the self with God, that in the light of which, St. Thomas regarded his scholastic writings as 'straw' (253). In this lies also Aquinas' own 'overcoming' of metaphysics, i.e., a 'natural' movement from *ratio* to *intellectus* (as *Gelassenheit*), from representation/calculation to meditation, from scholastic objectivism (*scientia*) to religious 'alethiology.' To be sure, Aquinas' mysticism is not Heideggerian *Denken*. On the question of Being's historicity, for example, on the *lethe* in its (self) revelation and on its relationship to God, there are marked differences. Still, for Caputo, the most original possibility concealed in St. Thomas' teaching is non-metaphysical and non-'onto-theo-logical' in an important sense, for God as *esse* and 'person' is not the 'highest and most general' among beings, nor the *primum ens*. Herein lies the genuine point of confrontation. 'To Heidegger's *Seinserfahrung*,' Caputo writes, 'I offer the mystical *patti divina* in St. Thomas' (271).

In an otherwise remarkable study, one might still chide Caputo on a central point. Although he opens the way for a genuine Heidegger/Aquinas confrontation that lies beyond metaphysics, he does not in this essay venture very far along this way himself, nor suggest how the essential differences that do emerge in the 'retrieval' might be adjudicated. Outside the metaphysical *ratio*, one might ask, how is a *Seinserfahrung/patti divina* confrontation to be understood as such, and whither might it lead? To pose this question is not to detract from the merits of Caputo's exemplary work; it is to point to a problem in the *Sache des Denkens* itself, which the essay implicitly reveals.

ROBERT BURCH  
University of Alberta



JOHN COLMAN. *John Locke's Moral Philosophy*. Columbia University Press (for Edinburgh University press) 1983. Pp. viii + 282. US\$27.50. ISBN 0-85224-445-2.

R.S. WOOLHOUSE. *Locke*. Minneapolis: University of Minnesota Press 1983. Pp. xi + 198. US\$35.00. ISBN 0-8166-1249-8.

ROLAND HALL and ROGER WOOLHOUSE. *80 Years of Locke Scholarship*. Columbia University Press (for Edinburgh University Press) 1983. Pp. x + 215. US\$20.00. ISBN 0-85224-431-2.

Colman's discussion of Locke's moral philosophy provides a detailed interpretation aiming to rescue Locke from the charge of inconsistency. Colman opens by arguing for the centrality of concern with ethics in Locke's writings and by sketching the main tenets of his theological and legalistic ethics. Turning to the early writings, Colman views them in their polemical context (including Locke's opposition to Bagshaw and to the Puritan individualistic interpretation of conscience). Colman also gives an extensive analysis of the controversy between voluntarist and intellectualist approaches to moral law, interpreting Locke's early view as a consistent voluntarism with respect to moral obligation, comparing his position with those of Descartes, Hobbes, Calvin, Cudworth, and Clarke, and arguing with von Leyden's interpretation. Noting the inadequacy of the early Lockean treatment of moral epistemology, Colman reads the *Essay* as attempting to give an improved theory of moral knowledge which would complement other aspects of his ethical position. Colman reads Locke's rejection of innate morality as a repudiation of ethical intuitionism. Contrasting the Lockean position with that of Burnet, Colman gives a detailed interpretation of Locke's view on the nature of conscience and moral judgment. After a general discussion of the *Essay's* treatment of ideas, knowledge, and essences, Colman clarifies Locke's thesis about the identity of real and nominal essences for moral ideas; he goes on to interpret Lockean demonstration as analysis, defending this interpretation with a rejection of the equivalence of the trifling/instructive distinction and the analytic/synthetic distinction. Colman also provides a detailed discussion of the Lockean state of nature, the role of God in Locke's ethical theory, the Lockean interpretation of free action and moral agency, the consistency of Locke's hedonism and his ethical rationalism, and the psychology of human action.

It is a merit of Colman's discussion that it takes into consideration a large array of Locke's writings; he attempts to integrate material from the *Essays on the Law of Nature*, the *Essay Concerning Human Understanding*, the *Two Treatises of Government*, and many other works. Showing extensive familiarity with writers contemporary to Locke as well, Colman provides an analysis that at its best is an erudite, interesting, and sophisticated treatment. At a number of points, Colman draws helpful clarifying distinctions (for example, the distinction among the types of voluntarism) and offers insightful criticisms or defenses of Locke's views.

However, Colman's study does not always achieve the quality of its best parts. Some sections merely provide exposition rather than interpretation, or give background information which could have been greatly condensed. (The advanced scholars who will comprise the main audience for Colman's study will not find much of interest in Chapter IV, for example, on 'Knowledge in the State of Mediocrity.')

Also, Colman sometimes merely repeats points already made in the secondary literature, and the documentation of some points leaves something to be desired. One must work through much material that is not very original in order to find the parts that make an interesting contribution. This book could have been twice as good if it had been half as long.

Also, some of Colman's points need further discussion. For example, he affirms several times the consistency of Locke's natural law ethics with the Lockean doctrine of the dependence of ethical truths on man-made ethical archetypes. But the book needs a fuller explanation as to *how* these views are consistent, not merely a reiteration *that* they are. The analogy between mathematical and moral knowledge, in the context of Locke's conventionalism about mathematical truth, is a topic important to the *Essay* and one which needs more importance in Colman's discussion.

Unlike Colman's book, Woolhouse's study of Locke focuses on the *Essay* and particularly on the theory of knowledge and metaphysics found in that work. However, the study *Locke* is more general, and more concerned with the context of Locke's thought, than Woolhouse's previous book *Locke's Philosophy of Science and Knowledge*. This difference is appropriate since Woolhouse's more recent study appears as part of the *Philosophers in Context* series.

After a sketch of Locke's life and its 17th century context, Woolhouse discusses the origins and aims of the *Essay* in relation to traditions of limited, constructive skepticism in that century. He then outlines the 17th century context of the issue about innate knowledge, pointing out the appeal to innateness as an explanation of self-evidence among Locke's contemporaries, and arguing that innate knowledge rather than innate ideas is the main target of Book I of the *Essay*. Woolhouse also puts the *Essay*'s discussion into perspective by interpreting Locke as a 'modern' allied with 17th century thinkers such as Power, Webster, Bacon, Sprat, and Sydenham, against the 'ancients' represented by the Scholastics. Woolhouse's discussion of ideas as the materials of knowledge focuses on 17th century issues about the nature of ideas (including controversies involving Stillingfleet, Burgersdijck, Sergeant, and Norris), the distinction between simple and complex ideas, and clarity and obscurity of ideas (involving comparison with Descartes, Spinoza, and Leibniz). After a general introduction to Locke's theory of knowledge (focusing on Locke's distinctions among types of knowledge and degrees of knowledge), Woolhouse elaborates the Aristotelian view of demonstration and compares Locke's view with this theory. He then outlines Locke's view of the extent of knowledge and his recommendations for its improvement, filling in the Baconian and Royal Society background to this view. After a brief discussion of the influence of Scholastic thought on Locke's view of



ideas of relations, Woolhouse interprets Lockean ideas of substances and modes within the context of Locke's rejection of the Aristotelian approach and his account of the extent and limits of knowledge. Woolhouse defends the view that the distinction between real and nominal essences applies to modes as well as to substances. Metaphysical topics are the final area of discussion; Woolhouse puts questions about qualities and the nature of body and mind into the context of issues discussed by Epicurus, Gassendi, Hobbes, Boyle, Descartes, Glanvill, Norris, and others. He concludes with a brief discussion of Locke's influence on the Enlightenment and the 20th century.

Since this book is a brief general discussion of Locke's *Essay*, introductory and intermediate level students will comprise its natural audience. Woolhouse provides a readable, balanced, and interesting discussion for this purpose. Advanced scholars will also profit from some of Woolhouse's efforts to fill in the context of Locke's discussion. The chapter on Aristotelian demonstration, and the discussion of extension, cohesion, and the nature of body, are particularly noteworthy in that they go beyond what is commonplace in the secondary literature on Locke. In addition, the numerous references to 17th century figures throughout the book will be useful; it provides a helpful and interesting perspective to view Locke in relation to minor figures such as Norris, Glanvill, Lee, Lowde, Burgersdijck, Casaubon, Du Moulin, and Baxter.

The bibliographical guide by Hall and Woolhouse covers the period 1900-80, supplementing Christophersen's compilation of sources from earlier periods. The guide covers works in all languages used for publications about Locke in this century, and includes references to dissertations and book reviews as well as to books, articles, chapters, and anthologies. Entries are indexed by author, language, and subject, which greatly enhances the accessibility of the wealth of information in this ambitious and useful bibliography.

RUTH MATTERN

Rice University

JEAN-MARIE DOMENACH, *Lettre à mes ennemis de classe* Paris: Editions du Seuil, 1984, 201 p. 65FF. ISBN-2-02-006716-1.

Cette lettre de J.-M. Domenach me fait penser à celle d'Arrabal intitulée, *Lettre aux militants communistes espagnols: Songe et mensonge de l'eurocom-*

*munisme*, publiée en 1978, à la différence que cette lettre, au lieu d'être adressée aux militants communistes, l'est aux socialistes français au pouvoir et plus particulièrement à François Mitterand.

Jean-Marie Domenach, membre de la Résistance lors de la Deuxième Guerre mondiale aux côtés des communistes et des socialistes, puis rédacteur en chef et directeur de la revue *Esprit*, se consacre maintenant à l'enseignement et à la recherche. Ce livre est un pamphlet où s'entrecroisent la polémique, le témoignage et des réflexions sur le discours socialiste et les pratiques actuelles du gouvernement socialiste.

Le livre est divisé en cinq parties: 1) Lettre à mes ennemis de classe, 2) La sidération, 3) L'équivoque, 4) La régression, 5) Libérez le socialisme. Dans l'introduction, l'auteur s'explique sur le titre paradoxal de son livre: ayant combattu toute sa vie pour des idées de gauche, il se voit maintenant taxé de réactionnaire par les socialistes. La phrase suivante résume bien le jugement que porte Domenach sur le gouvernement de Mitterand: 'J'ai l'impression de vivre avec ce que vous appelez "socialisme," l'histoire qu'il a vécue lui-même avec le dreyfusisme: le passage au système lorsque l'événement s'est enfui, l'appropriation rituelle des vertus des fondateurs, le détournement d'une espérance au nom de la fidélité. De temps en temps, il faut savoir quitter et dire pourquoi on le fait' (12). En somme, il reproche aux socialistes leur alliance avec les communistes qui, selon lui, soutiennent des régimes dits du 'socialisme réalisé' qui n'ont rien de socialiste, il leur reproche également de faire comme les communistes, c'est-à-dire de tenir un discours politique marxiste et de pratiquer une politique qui est souvent plus à droite que celle que pratiquait 'le pouvoir Giscardien.' Pour Domenach le marxisme est une idéologie dépassée, ce qui expliquerait l'écart de plus en plus grand entre le pouvoir socialiste en France et le peuple français (il fait référence entre autre à l'échec de l'Union de la gauche aux élections municipales de 1983).

Dans la partie suivante de son livre, 'La sidération,' Domenach rappelle aux Français un peu de leur histoire: l'arrivée des Allemands en 1940, la Guerre d'Algérie, Pétain, Guy Mollet, De Gaulle, etc. Selon lui, 'les Français, dont l'histoire est particulièrement riche en épisodes bouleversants, ont pris l'habitude de ces alternances de catastrophes inexplicables et de miracles inattendus. Ils ont connus de nombreuses sidérations' (36). Mais en 1981, en votant pour Mitterand, les Français ont, selon lui, voté 'pour un sauveur, pour une recette, pour autre chose — non point pour une nouvelle société ... , et l'on se retrouve, deux ans plus tard, avec une société défaite' (45).

Dans 'L'équivoque,' contrairement à Henri Amouroux qui accuse l'Union de la gauche de pratiquer 'la politique du mensonge,' Domenach soutient que c'est bien plus inquiétant, car les dirigeants socialistes croient à ce qu'ils disent, même si cela ne correspond pas à la réalité. Il les accuse de pratiquer au pouvoir le subjectivisme, l'autosatisfaction, l'auto-évaluation, car ils prétendent faire le bien du peuple et cette 'légitimité vertueuse s'accroît à proportion de l'échec subi dans la réalité' (83). L'équivoque est dans le discours politique de Mitterand: 'Ce discours, comme la plupart des discours politiques, est construit pour dire une chose sans exclure le contraire.' Et, selon



Domenach, 'Mitterrand a poussé cet art à la perfection' (88), de telle sorte que le socialisme n'est jamais défini et que personne ne semble savoir où il va.

'La modernisation n'a jamais été populaire en France' (120) et la politique est 'un des moyens détournés dont usent les Français pour se protéger contre l'intrusion de la modernité' (124). D'après Domenach, sous Giscard la France s'est modernisée, c'est pourquoi elle a régressé vers une idéologie socialiste dépassée du XIX<sup>ème</sup> siècle avec l'élection de l'Union de la gauche, d'où le titre de la quatrième partie: 'La régression.'

En conclusion, l'auteur voudrait que 'le socialisme soit libéré' des doctrines et des idéologies socialistes, surtout du sectarisme afin de le sauver de la régression où il s'enfonce et pour qu'advienne une société plus juste où l'homme soit enfin réconcilié avec l'homme. Et il prétend à la fin de son livre que les citoyens 'des sociétés ouvertes,' c'est-à-dire des sociétés occidentales qu'il oppose 'aux sociétés fermées, totalitaires, du socialisme réalisé,' disposent 'de cette chance inouïe, dans un monde aux trois quarts écrasé par la faim et la dictature, de pouvoir concevoir des théories plus "justes" et faire advenir des régimes plus "justes" ...' (197).

Domenach semble oublier que ce sont les sociétés qu'il qualifie d'ouvertes qui sont responsables d'un 'monde aux trois quarts écrasé par la faim et la dictature.' Autant il reproche aux socialistes de ne pas définir certains termes autant on pourrait lui reprocher de ne pas définir ce qu'il entend par 'régimes totalitaires.' Il oublie également que plusieurs difficultés du régime Mitterrand ont été engendrées par la crise économique mondiale, causée par la politique des U.S.A. Bien qu'il pratique un anticommunisme viscéral selon moi exagéré et qu'il ne parvient pas à justifier de façon satisfaisante, et qu'il tend vers un socialisme utopique insuffisamment défini, il n'en demeure pas moins que plusieurs de ses critiques sont pertinentes et qu'on ne peut que partager sa position soutenant que le but du socialisme est une société plus juste et plus démocratique.

PAUL GAGNÉ

Université du Québec à Trois-Rivières

THOMAS R. FLYNN, *Sartre and Marxist Existentialism: the Case of Collective Responsibility*. Chicago & London: University of Chicago Press 1984. Pp. xiv + 265. ISBN 0-226-25465-8.

On a rarement pu lire une analyse aussi fidèle du mariage sartrien de l'existentialisme et du marxisme. Dès les premières pages on aperçoit que Thomas R.

Flynn ne veut pas tomber dans les caricatures faciles auxquelles nous ont habitués maints détracteurs de la *Critique de la raison dialectique*, cu'il entend juger avec honnêteté et sympathie cette énorme entreprise:

Sartre's theory is not immune to criticism, as we shall see. But its superiority to orthodox Marxism and reductionist individualism lies in its ready incorporation of the morally responsible individual into the sociohistorical context. (xiii)

L'existentialisme était fait pour le marxisme. Mieux encore:

Sartre, by developing a coherent and adequate theory of collective responsibility, has combined salient features of each philosophy into a new and challenging social theory. (xi)

Certes, la noce n'harmonise pas tout; les concubains rencontrent quelques obstacles, des 'dichotomies': Tous/Aucun, Spontanéité/Inertie, Même/Autre, Socialisme/Liberté, Liberté/Nécessité. Mais pour l'essentiel, l'union réussit, dure; car tout au long du livre de Thomas R. Flynn, cet imposant entremetteur qu'est la 'responsabilité collective' relie les partenaires.

Par l'alliance, l'existentialisme subit une importante transformation. Et l'auteur le sait:

the categories of the *Critique* are different from and irreducible to those of *Being and Nothingness*, which they nonetheless subsume. (xii)

Mais ce n'est pas vraiment ce qui intéresse le commentateur. Thomas R. Flynn essaie surtout de montrer qu'il y a, en quelque sorte, déjà du marxisme dans l'existentialisme. Aussi, ne travaille-t-il pas tant sur l'union elle-même, sur la *Critique*, que sur les riches propriétés de l'existentialisme sartrien et leur compatibilité avec le marxisme. Thomas R. Flynn connaît bien Sartre, son évolution, son étendue. Très bien. Sartre est pour lui un parent dont il connaît la préoccupation, l'obsession éthique. Thomas R. Flynn vit avec Sartre, à l'intérieur de l'existentialisme. Ainsi s'explique le rôle puissant que le concept de 'responsabilité collective' joue dans son livre. Ainsi s'explique que son étude discute plus aisément du sartrisme dans son ensemble que du mariage que la *Critique* a voulu consacrer. On notera que, par rapport au concept de 'responsabilité collective,' ceux de totalisation et de Tiers médiateur, indispensables à la *Critique*, n'occupent qu'une place seconde dans la présentation de Thomas R. Flynn. Il est vrai que le commentateur n'a pas à répéter une théorie mais bien à la faire comprendre. Et puis Sartre n'a-t-il pas déjà vu lui-même, dans la *Critique*, la morale qu'il avait annoncée plusieurs années auparavant? Quoi qu'il en soit, on ne saisit pas très bien comment, logiquement, Sartre parvient à réconcilier la loi marxiste de l'histoire et la liberté ontologique existentialiste, question qui a motivé et animé son aventure. Sartre a cru avoir solutionné ce paradoxe. Thomas R. Flynn, pourtant, superpose une



thèse à l'autre. Et le marxisme ne fait plus loi; le communisme n'est plus inéluctable:

"Exigency" serves the function in Sartre's social system that "necessity" and "probability" play in those of Lukacs and Weber respectively; it respects freedom while making predictive knowledge possible. (82)

Plus clairement encore: 'Sartre's existentialist challenge to the Marxists lies in the "if"' (186). L'avènement du communisme dépend des raisons morales, des acteurs moraux. Thomas R. Flynn comprend très bien que l'existentialisme a dû adapter le marxisme ('Sartre's Revisionist Marxism' [173]). Mais son révisionisme à lui va encore plus loin que celui de Sartre. Ce n'est pas un tort. L'œuvre Sartrienne, malgré des affirmations trop strictes, parce que, comme tant d'autres, sa richesse n'est pas que limpidité, parce qu'elle a souvent raison, se prête à ce genre d'interprétation. Et Sartre est d'autant plus fécond qu'on le prend habilement, qu'on trouve sa raison dialectique dans sa raison analytique.

Thomas R. Flynn est habile. Mais, en réalité, il est plus en mesure d'entretenir, de défendre un existentialisme qu'il affectionne que de se faire l'avocat du diable; ce que, par ailleurs, si peu que ce soit, il réussit magistralement.

SIMON LAFLAMME

Université Laurentienne

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HANS-GEORG GADAMER. *Reason in an Age of Science*, Frederick G. Lawrence, trans. Cambridge: The MIT Press, 1982. Pp. xxxiii + 179. US\$17.50. ISBN 0-262-07085-5.

What is the relationship between philosophy and science in an age that is dominated by a model of science? What is the significance of Hegel's philosophy for a theory of hermeneutics and for an understanding of the philosophical tradition which speaks to us in the 20th century? How is a theory of hermeneutics relevant to the problem of social reason? These are the main questions that we are confronted with and which Gadamer, as the leading spokesman for a comprehensive theory of hermeneutics, attempts to answer in *Reason in an Age of Science*.

This book is the latest collection of essays by Gadamer to appear in English, but this collection, unlike *Philosophical Hermeneutics* which was a translation of some of Gadamer's writings from as early as 1960, presents some of the most recent work of this post-Heideggerian continental philosopher. *Reason in the Age of Science* is also the second volume to appear in the 'Studies in Contemporary German Social Thought' series, edited by Thomas McCarthy. The announced intent of the series is the publication of translations from the German of contemporary social thought since World War II in an effort to correct the imbalance with respect to translations in the other direction. 'Social thought' is to be understood in a broad sense to include socio-theoretical concerns of history and philosophy and thus, quite understandably, we see the rationale for the selection of Gadamer's work as part of the series.

There is an excellent Introduction to this volume by Frederick Lawrence. It situates Gadamer's own thought within the history of philosophy, and modern social theory in particular. Lawrence acknowledges that his remarks are directed at newcomers, which is commendable, since they do not simply rehash the material found in the essays — which is so often the case — but provide the appropriate background for a reading of the various essays. Lawrence points out in this Introduction that most contemporary social theory derives its intellectual roots from Marx; but this is not the case for Gadamer. The key to Gadamer's significance for social theory is found in the Greeks. But this tie to social theory should not be construed too narrowly. Gadamer's concern has always been defined in broad terms and thus the inspiration from Plato and Aristotle, as well as from Hegel, is ultimately in service to his theory of understanding that encompasses questions of social reason.

The essays that comprise the volume have been selected from the German edition, published five years earlier, and include two essays ('The Heritage of Hegel' and 'Hermeneutics as a Theoretical and Practical Task') that appeared elsewhere, although never before in English. In the eight essays that comprise the present volume, there are three overlapping themes. 'On the Philosophic Element in the Sciences and the Scientific Character of Philosophy,' 'On the Natural Inclination of Human Beings Toward Philosophy,' and 'Philosophy or Theory of Science?' deal with the self-understanding and place of philosophy in an age of science. 'Hegel's Philosophy and Its Aftereffects until Today' and 'The Heritage of Hegel,' which complement his earlier work on Hegel, place Hegel in the history of philosophy and his significance for hermeneutics. The third theme of the essays pertains to the nature of hermeneutics and its relationship to the model of practical philosophy in Aristotle. The essay 'What is Practice? The Conditions of Social Reason' is a variation of this same theme.

It is immediately apparent from reading these various essays that some of them were presented as public lectures and thus the tone is much more conversational than one would normally expect. And just as obviously we see that some of the material in these essays we have heard before, but this repeti-



tion is not without merit. What we find here, in part, is a clear and concise statement of Gadamer's position, and thus it could be recommended as an excellent introduction to his work. In the two essays that deal explicitly with the nature of hermeneutics, Gadamer develops the now familiar theme that hermeneutics, defined broadly as a theory of interpretation, is itself practice. Such a statement serves to link the model of hermeneutics to that of the Aristotelian notion of practical philosophy. The significance of this for Gadamer is that interpretation involves more than the mere teaching of a technique — more than the mastery of a set of rules for a correct interpretation — it requires an adaptation to the actual situation. Ethics is just such an activity since any teaching about a right way to live, presupposes its 'concretization within a living ethos.' 'The Heritage of Hegel,' in yet another way, repeats themes found in his earlier works. In this article, Gadamer asks us to recognize Hegel as the great teacher of concrete universality. Such a notion, Gadamer would argue, is the basic experience of hermeneutics, although for Gadamer this does not mean hermeneutics shares Hegel's basic metaphysical assumptions. For Gadamer, the practice of understanding is nothing more than the concretizing of the universal which is something akin to the application of a rule for which there exists no rule. Jurisprudence is one of Gadamer's favorite illustrations of this hermeneutics procedure, since here we find interpretation which involves mediating the universality of the law with the concrete material of the case before the court, and as such it requires adaptation to the actual situation.

Not all of the material presented here have we heard before. In the essay 'What is Practice? The Conditions of Social Reason,' which I think reflects the sense of the title of the volume, we see something of the latest direction of Gadamer's thought. In this essay, Gadamer argues that 'practice' today has a distorted meaning; it stands in opposition to theory as the application of science. But questions about the application of science and technology ultimately lead to a question about the connection between technology and life. This question, for Gadamer, poses the problem of social reason. The problem is that there has emerged the ideal of a technocratic society in which the expert appears as a substitute for practical and political experience (taken in a broad sense). Coupled with this is the technologizing of the formation of public opinion. But we cannot regard this as a strengthening of social reason. The point would seem to be found in Gadamer's concern that practice has degenerated into mere technique. Against this, Gadamer asks us to recall the original sense of practice as it is used by Aristotle. In this context, practice is not exhausted in the functional adaptation to the natural conditions for life but emerges when we see the 'need for enlightened choice, just deliberation, and right subordination under common ends.' This, he would argue, is peculiarly characteristic of human action in which there is often complex and even contradictory goals. As such, practice for Gadamer is always dialectical and effective, like finding that law for the particular case.

In all this, Gadamer seems to be asking for a more pronounced sense of humility — like the hermeneutic experience itself which is always ongoing

and incomplete — with respect to our social planning and calculation. In spite of the general nature of some of the essays on questions about our social life today, the book is to be recommended.

JAMES RISSE  
Seattle University

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PH. GÉRARD, F. OST et M. VAN DE KERCHOVE, éditeurs, *Fonction de juger et pouvoir judiciaire: transformations et déplacements*. Bruxelles: Publications des facultés universitaires Saint-Louis, 30, 1983. Ix + 585 p. ISBN 2-8028-0031-0.

Cette publication, comme plusieurs autres, traduit une expérience spécifique. Il s'agit ici d'un travail d'équipe lors d'un séminaire interdisciplinaire d'études juridiques des Facultés universitaires Saint-Louis. Ainsi elle en porte l'empreinte, avec ses forces et ses faiblesses. Le thème central des discussions est présenté dans le titre, *Fonction de juger et pouvoir judiciaire*, et le sous-titre indique l'orientation spécifique du questionnement, mesurer les transformations et les déplacements. Un regard sur la table des matières permet de saisir l'ampleur du projet. Composé de douze contributions cette publication met en présence des philosophes juristes, des juristes, des juristes criminologues, des juristes sociologues et un juriste anthropologue. L'aspect interdisciplinaire se traduit aussi dans les thèmes étudiés dans chaque contribution. En effet il ne faut pas oublier que les études juridiques couvrent des secteurs très diversifiés: diversité au niveau des différents systèmes légaux et diversité interne au droit national. C'est ainsi que la fonction de juger est étudiée tantôt au niveau du droit belge par l'analyse du droit constitutionnel, du droit public, du droit conjugal, du droit de la protection de la jeunesse, du droit des malades mentaux, des ordres professionnels, du droit d'arbitrage et du droit international public. Les autres contributions abordent d'autres droits comme ceux de la France, du droit pénal aux Etats-Unis, de la fonction juridictionnelle en Chine et au Sénégal.

Les titres de ces contributions manifestent clairement cette double appartenance et laissent soupçonner les difficultés propres à ces recherches interdisciplinaires en droit. Un seul article est réservé à une analyse des modèles de justice. Par le biais d'un cadre théorique plus englobant il constitue en quelque sorte le leitmotiv du livre. Les auteurs y renvoient leurs analyses où concordent les énoncés avancés.



Si on se place du point de vue d'un lecteur canadien et d'un philosophe non nécessairement familier avec le droit on aura l'impression que cette publication est réservée exclusivement aux philosophes du droit et peut-être plus spécialement aux juristes intéressés au droit comparé. Cette impression évidemment naîtra dès la lecture des titres et devant l'absence de cadre théorique élaborée. Cette réaction des lecteurs canadiens risquerait de minimiser l'importance et les difficultés du travail interdisciplinaire.

Résultat d'une expérience interdisciplinaire, cette publication manifeste clairement toutes les difficultés d'un tel projet. Toute entreprise philosophique dans le cadre de la réflexion sociale et culturelle est vouée aux mêmes difficultés. C'est pourquoi il est important de cerner dans cette publication les traces de cette expérience.

Le sens donné aux analyses de la fonction de juger est celui de montrer les transformations et les déplacements de cette fonction ou du pouvoir judiciaire. Dans chacun des domaines étudiés il faut donc que les auteurs remontent dans le temps pour dégager d'une part l'évolution des lois et l'évolution de la fonction judiciaire suite aux réformes. En procédant ainsi, les auteurs interprètent les lois, commentent la jurisprudence et de ce fait élaborent un discours qui est du moins potentiellement une source du droit. Ecrire sur le droit est virtuellement un engagement puisque les textes peuvent être utilisés comme source de doctrine dans une interprétation des lois par les tribunaux. Dans la mesure où un auteur traite de problèmes relatifs à son droit national, son texte sera souvent teinté par cet aspect d'engagement comparativement à un texte qui décrit le droit national d'un autre pays.

L'analyse de la fonction et du pouvoir judiciaire présuppose une conception du judiciaire dans l'ensemble structural du droit. Si on utilise souvent à l'intérieur de droits nationaux la conception de l'autonomie des pouvoirs législatif, exécutif et judiciaire et surtout le principe de la suprématie du pouvoir législatif, il faut reconnaître que ces principes font partie du discours justifiant le droit interne. Mais cette représentation n'est pas nécessairement conforme à ce que des analyses sociologiques ou philosophiques peuvent dégager. Par exemple, il suffit de regarder les travaux de H. Kelsen et d'A. Ross qui ont dégagé en philosophie du droit des modèles structuraux où la fonction judiciaire était fondamentale pour saisir l'unité du droit.

Le droit n'a pas d'unité réelle, évidente comme le mot le laisse supposé. C'est pourquoi chaque approche disciplinaire peut en reconstruire l'unité théorique ce qui produit les multiples approches et les oppositions dans le travail interdisciplinaire. Rappelons-nous les grands débats dans ce domaine entre la philosophie du droit, la sociologie du droit et l'analyse socio-économique marxiste du droit.

Cette difficulté de montrer des convergences sinon une unité dans les phénomènes juridiques au niveau du droit interne augmente lorsqu'on essaie de trouver des convergences entre différents droits nationaux. Comment dégager des constantes à partir de droits nationaux multiples et de contextes socio-culturels si divers?

Pour surmonter ces difficultés, les auteurs ont tous utilisé une approche historique. En traçant le déplacement et la transformation de la fonction de juger, ils se sont appuyés sur l'évolution des lois respectives à la fonction judiciaire analysée et à l'interprétation de la jurisprudence. Cependant, faire l'histoire de cent ans de vie juridique dans une contribution peut conduire au piège mentionné dans l'avant-propos, celui de la généralisation excessive. Tout au long de leur démarche, les auteurs sont conscients de l'équilibre à rechercher entre l'étude exhaustive et détaillée de l'histoire des institutions en cause et l'utilisation de généralités pour décrire le droit.

De même, les auteurs n'ont pas adopté un cadre théorique préétabli dès le point de départ de leur recherche. Leurs analyses sont surtout descriptives, il s'agit donc dans chacun des domaines étudiés de tracer un portrait de l'évolution des institutions en cause. Le cadre théorique est donc en émergence. Si la contribution de F. Ost, 'Juge-pacificateur, juge-arbitre, juge-entraîneur. Trois modèles de justice' est celle où des modèles théoriques sont articulés le plus explicitement et que cette contribution introduit à l'œuvre, il ne faut pas nécessairement conclure que les autres auteurs ont cherché à vérifier la pertinence de ces modèles dans différentes sphères du droit. Cette contribution aurait pu aussi bien apparaître à la fin de la publication.

Pour un lecteur canadien, cette publication interdisciplinaire sur le droit suscite deux autres voies de réflexion: les cadres théoriques en jeu et l'interrogation sur notre propre droit interne. Cette recherche interdisciplinaire met en scène un cadre théorique implicite dans le choix de son objet d'étude: la fonction de juger et le pouvoir judiciaire. Certes ce choix peut paraître arbitraire, le fruit d'un consensus pratique d'une équipe ou bien se justifier sociologiquement par le constat des transformations sociales. Mais au niveau de la théorie générale du droit, la place de la fonction judiciaire demeure centrale dans la conception structurale de droit. Ce cadre théorique implicite à l'ensemble des contributions devient explicite dans celle de M. Michel Miaille lorsqu'il justifie la pertinence de son analyse du droit chinois par le biais du juge.

La fonction juridictionnelle ne peut être comprise que dans la totalité que constituent les appareils et les mécanismes du pouvoir: mais, elle a une particularité que l'on ne peut méconnaître, c'est de faire apparaître, à l'œil nu, la force de l'Etat et sa fonction répressive. Autrement dit, la fonction juridictionnelle peut être prise, sinon comme une loupe grossissante de l'Etat, tout au moins comme son cœur, sa dernière vérité. Car pour que 'force reste à la loi,' il va falloir que la loi s'accompagne de la force. (519)

Cette contribution soulève donc la question du modèle structural du droit qu'un système juridique peut véhiculer au niveau doctrinal mais qui ne correspond pas nécessairement aux analyses que d'autres disciplines peuvent faire du droit. C'est pourquoi, de poursuivre M. Miaille, 'en ce sens, les juges exercent un véritable pouvoir quoique la Doctrine se soit évertuée, à la suite de Montesquieu, à montrer que la fonction juridictionnelle n'était pas un pouvoir à proprement parler — mais seulement l'application de la loi' (519).



Les convergences les plus évidentes de ce séminaire interdisciplinaire apparaissent, au plan théorique, dans la contribution de M.F. Ost, intitulée 'Juge-pacificateur, juge-arbitre, juge-entraîneur. Trois modèles de justice.' L'auteur présente ici trois modèles de justice qui, historiquement, se suivent: le modèle de justice coutumière, le modèle de justice légaliste — libérale et le modèle de justice normative-technologique. Une comparaison des deux séries de titres utilisés pour ces modèles nous montre clairement les transformations et déplacements de la fonction de juger. Le modèle de la justice coutumière-traditionnelle renvoie à un système légal où la cohésion sociale est assurée par l'appartenance à une même idéologie. La structure institutionnelle reflète cette cohésion et la renforce. Les conflits d'intérêts trouvent donc leur solution à l'intérieur du cadre idéologique par le biais de la fonction du juge qui, en tant qu'interprète des coutumes, vise à pacifier les opposants. Le modèle de justice légaliste-libérale correspond à une société où la cohésion n'est plus assurée par une idéologie fondamentale mais par l'institution juridique elle-même qui consacre l'égalité abstraite de tous et qui confirme l'autonomie des volontés individuelles. Dans ce modèle, la fonction du juge sera celle d'arbitre des conflits. Il devra s'assurer le respect des droits individuels et chercher dans une controverse juridique à préciser le droit des parties. Le modèle de justice normative-technique correspond à une société qui renoue avec une nouvelle forme de cohésion idéologique, non plus assumée par les croyances, ni même par le droit mais par le biais du savoir scientifique. Dans la mesure où les conflits trouvent leurs solutions grâce aux différents savoirs, les institutions légales deviennent des moyens techniques pour atteindre la résorption des conflits. Dans ce contexte, le juge devient entraîneur car sa fonction réside à mettre en œuvre et à stimuler les personnes en cause à adhérer aux solutions proposées.

Pour faire apparaître clairement les différents aspects qui distinguent les modèles que nous venons de présenter sommairement, l'auteur analyse systématiquement onze critères. Ces derniers confirment encore le choix méthodologique de saisir la fonction de juger dans son contexte global dans une société. La fonction juridictionnelle se saisit dans la mesure où l'on trace d'abord le contexte économique et social, le mode de légitimation et de connaissance du droit et la fonction du droit, la structure du système juridique qui correspond aux critères précédents. Ces contextes permettent dès lors de préciser davantage la fonction de juger en analysant les caractères des sources juridiques et des sanctions juridiques, le réaménagement des pouvoirs dans l'Etat entre le législatif, l'exécutif et le judiciaire. Ces critères permettent ensuite de préciser le statut du juge notamment face à la question d'expertise, à la fonction du juge, à la méthode du juge et enfin face à la procédure judiciaire.

Cette contribution théorique de M.F. Ost constitue la trame fondamentale de cette publication car elle permet au lecteur, grâce aux nombreux critères présentés, de saisir dans les autres contributions les convergences et les explicitations précises des modèles idéaux tracés. Elle permet aussi de saisir comment certains auteurs se situent face au changement de modèle, où aux

contradictions qui en résultent. M.H. Desterbecq-Fobelets dans son article 'Les tiers intéressés par l'octroi d'aides publiques aux entreprises privées. Eléments d'analyse de leur protection juridictionnelle' analyse comment l'intervention de l'Etat avec des subventions modifie les règles du libre commerce, telles qu'elles apparaissent dans la société de droit formaliste et libérale. Deux problèmes se posent dès lors: comment s'assurer de la pertinence de l'acte d'intervention et éviter que certains profitent indûment de l'avantage reçue? Ainsi la fonction juridictionnelle se transforme puisqu'elle quitte le terrain de l'égalité d'autrui et des droits pour celui de la participation à la décision favorable.

En matière de conflit conjugal M.J. Gillardin perçoit les changements sociaux mais réclame davantage une évolution de la fonction juridictionnelle. Son analyse de 'L'intervention du juge dans le conflit conjugal' met en relief, grâce à l'étude historique des textes sur le sujet, le problème particulier d'un droit formaliste en matière de conflit conjugal. Dans une conception formaliste, la fonction de juger consiste avant tout à trancher, à déterminer laquelle des parties a le droit et laquelle ne l'a pas. Une seule partie est victime, l'autre bourreau. Dans un tel contexte, il s'agit d'établir l'équilibre rompu. C'est l'aspect répressif du jugement. En matière de conflit conjugal, le juge procède de la même façon et doit trouver le responsable. L'écart entre ce que vivent les gens et l'interprétation formelle ne fait que s'accroître.

L'évolution de la fonction de juger en matière des mineurs au niveau du droit criminel manifeste clairement le nouveau type d'intervention des juges. Deux contributions y sont consacrées: celle de M.M. van de Kerchove 'L'évolution du droit des mineurs et les fonctions du tribunal de la jeunesse' et celle de M.A. Jadoul 'Fonction de juger et protection de la jeunesse.' Le changement de terminologie indique cette évolution. Considérer le mineur comme l'adulte au niveau du droit criminel était le propre du système formaliste où il s'agissait de trouver une personne responsable d'un délit. Instaurer l'idée de protéger la jeunesse contre son milieu, voir dans la délinquance une 'maladie' qu'on peut remédier conduit nécessairement à modifier la fonction de juger. Quittant le rôle d'arbitre le juge devient un des agents qui participent à la recherche de la meilleure solution pratique. Cette évolution du droit des mineurs est marquée par l'approche normativo-technique. Dans la mesure où la solution à trouver dépend de causes psychologiques, sociales et économiques, le juge doit se faire assister par un certain nombre d'experts. L'aspect technique devient ainsi le critère premier de la solution des conflits. Par contre, puisque cette solution demeure juridique, l'aspect normatif, le niveau de contrôle des individus, est plus étendu. Du mineur on passe au milieu, à la famille.

Ce rôle de l'expertise dans l'approche normativo-technique est très bien démontré dans la contribution de M. van de Kerchove lorsqu'il analyse 'Le juge et le psychiatre. Evolution de leurs pouvoirs respectifs.' L'augmentation du contrôle des activités des individus est analysée plus spécifiquement dans la contribution de M.J. van Compernelle, 'L'évolution de la fonction de juger dans les ordres professionnels.'



Le cadre théorique tracé par la contribution de M.F. Ost reçoit donc une confirmation dans les différentes analyses ultérieures. Cependant, il y a aussi d'autres voies théoriques qui apparaissent dans les contributions. Dans certaines, l'interrogation sur la problématique du droit, de la politique et des valeurs suggèrent de nouvelles pistes alors que d'autres interrogent les rapports entre le droit et la vie des gens.

La longue analyse de M.H. Dumont sur 'Le contrôle de la constitutionnalité des lois et des décrets en Belgique: fonction juridictionnelle ou politique?' non seulement situe le problème de la doctrine belge sur la question mais aussi le problème fondamental de la fonction de juger d'une loi. Comment peut-on justifier l'intervention d'un juge sur l'acte créateur de droit: légiférer? On connaît bien l'alternative: ou bien les juges se soumettent à une interprétation littérale des textes ou bien ils deviennent 'législateurs.' Mais le problème reste entier, car les lois incarnent des valeurs à un moment de l'histoire mais elles n'établissent pas nécessairement un ordre de priorité entre les différentes valeurs. En refusant de donner un ordre de priorité, les juges seront accusés de ne pas remplir leurs fonctions. Par contre, en donnant un tel ordre dans des cas concrets, ils seront accusés d'être législateurs. La distinction entre la politique et le juridique n'est donc pas claire et distincte car elle cache souvent l'enjeu de l'interprétation des valeurs dans une société.

Cette question de la priorité des valeurs concerne non seulement la pratique du droit constitutionnel mais le droit international comme le démontre M.J. Verhoeven dans sa contribution 'A propos de la fonction de juger en droit international public.' On retrouve aussi le même conflit entre deux valeurs en droit criminel américain dans la contribution de M.F. Tulkens, intitulée 'Le rôle et les limites de la fonction juridictionnelle dans la justice pénale aux Etats-Unis, "Crime Control v. Due Process".'

Si l'équilibre entre les pouvoirs législatifs et judiciaires semblent être remis en cause par l'interprétation, celui entre l'exécutif et le pouvoir judiciaire apparaît lors des nominations et des promotions du juge comme le montre M.A. Lagneau-Devillé dans sa contribution 'Influences du pouvoir exécutif sur les prérogatives du juge en France, sous la Ve République.'

L'évolution de la fonction de juger peut aussi être analysée à partir du contexte idéologique plus large d'une société et dès lors à partir du rôle des mentalités (positif ou négatif) dans l'efficacité d'un système juridique. Cette approche caractérise nettement les deux dernières contributions de ce séminaire. M.M. Miaille analyse le rôle du juge en Chine, où le retour à la fonction juridictionnelle semble indiquer une voie de compromis entre l'arbitraire du pouvoir politique dans la solution des conflits dans la société et l'absence de reconnaissance de conflits politiques dans une société. La fonction de juge est donc limitée et s'intègre dans l'ensemble juridique élaboré sur de fortes bases idéologiques. M.E. Le Roy pour sa part, adopte une analyse anthropologique afin de situer les difficultés des réformes législatives lorsqu'elles affectent le tissu des croyances et des pratiques dans une société. Comme le titre l'indique, les modifications législatives au Sénégal en matière de conflits fonciers conduisent à des adaptations particulières des disposi-

tions législatives, 'Le sous-préfet, le président de Communauté rurale et les paysans. Limitations de la compétence judiciaire et adaptations du contentieux administratifs dans le règlement de conflits fonciers au Sénégal.'

Ce séminaire interdisciplinaire apporte donc au lecteur canadien des réflexions fécondes tant au niveau du travail interdisciplinaire qui s'impose dans la recherche sur les institutions sociales qu'au niveau des différents cadres théoriques. A l'heure où la nouvelle Constitution canadienne devra être interprétée, où les nombreuses lois interventionnistes structurent nos activités (code des professions, droit de protection de la jeunesse, droit de la famille...) nous ne pouvons que déplorer l'absence de ces débats fondamentaux en philosophie du droit dans nos institutions d'enseignement et de recherche.

GEORGES A. LEGAULT  
Université de Sherbrooke

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I.J. GOOD. *Good Thinking: The Foundations of Probability and its Applications*. Minneapolis: University of Minnesota Press 1983. Pp. xviii + 332. US\$35.00 (cloth: ISBN 0-8166-1141-6); US\$14.95 (paper: ISBN 0-8166-1142-4).

Two men ushered in the computer age: John von Neumann and A.M. Turing. Each had a statistical assistant during World War II: L.J. Savage in von Neumann's case, and I.J. Good in Turing's. It is a curious but not fortuitous fact that when these two statisticians turned to peacetime work, they wrote the first two books of the modern 'Bayesian' approach to probability and induction. That is, they encouraged the idea that degrees of belief are represented by probabilities, and that these should be changed in the light of new evidence by a formal application of Bayes' rule. When they first wrote, this was an eccentric minority attitude. Now it is the vigorous rival to other statistical approaches, and today it is the dominant account among philosophers who think probability bears on epistemology and induction.

Harold Jeffreys had long before championed Bayesian multiplication. F.P. Ramsey had provided the analysis of subjective probability as personal consistency. Bruno de Finetti had erected an important general theory of subjective probabilities. Yet, just as no authors are more generous in acknowledging predecessors than Savage and Good, we must in turn attribute the present



success of subjective Bayesian ideas to the vigour and clarity of their own contributions.

Savage is far better known in this respect than Good, despite the fact that Good published the earlier book, *Probability and the Weighing of Evidence* (1950). This is partly because Savage, although personally extremely generous and open to young people who disagreed with him, had an evangelical zeal for the One True Doctrine. Good has always been more eclectic, and cheerfully cross-classifies 45,656 possible kinds of Bayesianism, to one of which he cleaves. Moreover Savage left us one canonical exposition, *The Foundations of Statistics* (1954). Good goes in more for starting hares than final solutions. The present volume concludes with a bibliography of 1517 of Good's publications about probability, together with a 43-page index to that bibliography. Good is one of the few authors who well understands how to write an index: witty, informative, idiosyncratic, revealing. Likewise Good's index to *Good Thinking* itself satisfies Good's own demand, that it should enable the reader 'to find out what the book is about.'

The book is about an amazing number of things. It consists of numerous edited essays on philosophical topics. Some, such as Hempel's paradox of the ravens, Goodman's new riddle of induction, or Popper's corroboration, tend to be the preserve of professional philosophers. Others discuss foundational issues in statistics. In the past twenty years most of these have become fairly well known to philosophers who think about probabilities.

Good enumerates eleven characteristics of his own Bayesian approach. These are more robust, practical and undogmatic than is usual. For example, he thinks that there are physical, frequency-style probabilities — but that analysis of them requires subjective probabilities too. He thinks that all practical reasoning requires that we factor in the cost of thinking, so that our actual personal system of probabilities will typically be inconsistent, because we will not have afforded the time and money to work out the logical consequences of our disposition of beliefs. He regularly takes many practical or philosophical difficulties to be SUTC. This acronym is partly Good's way of telling us not to be fooled by the New Pedants who think that they have achieved clarity and rigour by writing something in capital letters, like an order to a computer. SUTC means: 'swept under the carpet.' Good thinks it is fine to SUTC, so long as you make clear to yourself the fact that you are sweeping. Since 'Goodian' would be an idiotic word, Good calls his philosophy Doogian, after the well-known Tibetan pundit, K.Caj. Doog.

This is all healthy stuff, and should be prescribed reading for all students of probability and induction who fall prey to the philosophical vice of single-mindedly looking for (or advertising) The One True Doctrine. Philosophers will, however, best use this book as a treasure trove. Good once published a book of other peoples' 'Partly Baked Ideas.' Many of his own, in this book, are more conspicuous for the marvellous aroma of baking than for the texture of the finished product. But there are probably more ideas here than in all the writings since Peirce by philosophers of probability.

The one I like best is Good's first — which also happens to be one of Peirce's. On nine occasions in the book he attributes it to Turing, either 'Turing (1940)' or 'Turing (1941).' Only the latter occurs in the list of references, and then as 'personal correspondence.' Turing, as is well known, spent World War II as the chief brain in a famous cryptography unit at Bletchley, a railway station half way between Oxford and Cambridge, which is nowadays accorded a possibly exaggerated place in the annals of intelligence work. Turing, Good & Co. were engaged in cracking codes, and it is natural to try to get measures of plausibility for hypotheses about how a message has been encoded. Sequential testing of these is a mechanical process in which some conjectured codes increasingly attain plausibility while others drop out. It is not surprising that in this milieu subjective probabilities should have become dominant, nor that more specific ideas, that surfaced in public only later, should have been developed (sequential testing, for example).

If we were Bayesian cryptographers, how would we measure the effect of evidence upon an hypothesis about coding? In 1940 or 1941 Turing suggested to Good that the appropriate factor is

$$\frac{\text{Odds } (H/E)}{\text{Odds } (H)}$$

$$\text{Odds } (H)$$

When a probability (or conditional probability) is  $p$ , the odds are  $p/(1-p)$ . This factor is formally equivalent to  $P(E/H) / P(E/\text{not-}H)$ . Because of tidy properties of the logarithm, Good takes the log of this factor to measure the weight of evidence.

Good notes that others independently had the same idea, and finds it in Peirce's *Popular Science Monthly* essay, 'The Probability of Induction.' But on seven different occasions in the book, Good writes to the effect that, as he puts it once, 'Peirce blew it.' The claim that Peirce made an error is explained in a (1981) paper of Good's not reprinted here. I was glad to note that the *last* item in the bibliography, #1517 'in press,' is titled 'A correction concerning my interpretation of Peirce ...' The correction has not made it into the text of the present book. Peirce was, I think, doing something interesting, not quite what Good is doing. But Good's weight of evidence is well worth philosophical study in its own right. We need not quibble about the extent to which it can be used to capture notions of corroboration and explanation, for it is certainly in the ball park, unlike most rivals. I am especially taken with the fact noticed on page 37, to the effect that weight of evidence is rather insensitive to prior and posterior probabilities, so that people can still communicate and agree on the extent to which evidence bears on an hypothesis, even if they disagree on (or see no merit in) subjective probabilities.

Good's book is to be exploited more than believed. Its format does not quite come off. To take only Peirce and Turing, I've mentioned that Turing is repetitively praised and given a nonexistent reference, 'Turing (1940).' Peirce gets his nonexistent one too, 'Peirce (1978)' denoting (1878); and he is



repetitively both praised and reprimanded. I think many readers will simply be irritated by the idiosyncratic editing. For example: page 176, about half-way down fades off into dots, '... [See #938].' It then passes to Section 7 'Examples of Suggestions. [This section has been omitted].' It passes to 8, 'Rational Behavior' which commences '...' And so on: let us welcome the treasure trove and mine it.

IAN HACKING

(Institute for the History and Philosophy  
of Science and Technology)

University of Toronto

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SIMONE GOYARD-FABRE, *L'interminable querelle du contrat social*, (coll. Philosophical), Ottawa: Editions de l'Université d'Ottawa 1983. 371 p. ISBN-2-7603-1031-0.

Dans la longue préface à son édition du *Leviathan*, M. Oakeshott distingue trois grandes traditions à l'intérieur de la philosophie politique. La première s'articule sur les notions-clés de Raison et de Nature; la seconde, en rupture avec la conception classique, se fonde sur le primat de la Volonté et de l'Artifice; la troisième dépasse, en les englobant, les deux premières dans l'idée de Volonté rationnelle.

C'est à la seconde tradition que S. Goyard-Fabre consacre son ouvrage. Si la notion a connu aux XVII<sup>e</sup> un essor considérable (II<sup>e</sup> partie) et même, par la suite, l'inflation (III<sup>e</sup> partie), il faut remonter loin en arrière, jusqu'aux Sophistes, pour en surprendre les prémisses (I<sup>ère</sup> partie) et suivre son déclin sous les coups répétés de la critique, au-delà de la Révolution française (IV<sup>e</sup> partie). Il faut savoir gré à l'auteur d'avoir pris la mesure la plus large de son sujet. Il existe de nombreuses monographies consacrées à tel ou tel auteur de la veine contractualiste; il n'y avait pas encore une grande étude d'ensemble, magistrale, qui s'attachât à fouiller l'étonnante carrière théorique de cette idée-force: c'est maintenant chose faite et le résultat est tout à fait remarquable. La publication de ce livre fera donc date. Bien que l'auteur ne prétende pas à l'exhaustivité historique, son propos est proprement philosophique, on ne peut qu'admirer l'ampleur et la solidité de l'érudition. En effet, l'histoire n'est pas convoquée ici pour elle-même: 'nous ne puiserons en elle que des *exemples* de doctrines qui, replacées dans le mouvement

général de l'histoire et de la culture, nous feront toucher du doigt à travers sa silhouette multiforme, tantôt évanescence, tantôt accentuée à traits puissants, les *ambiguïtés et les difficultés de l'idée de pacte social*' (12). L'analyse conceptuelle et l'élucidation épistémologique l'emportent délibérément sur le déploiement successif de ses formes concrètes dans l'empirie.

En voulant donner à l'idée toute sa force, les philosophes élaborent des constructions spéculatives complexes, ce faisant, provoquent la critique et, à la fin, la crise. Les remaniements successifs relancent sans cesse l'esprit en quête de sa vraie signification. Il est fascinant de suivre ainsi, pas à pas, les divers rebondissements suscités par le choc des idées dans la perspective de la logique interne d'une problématique.

Très tôt, à travers des terminologies marquées par les querelles de l'époque, s'ébauchent des distinctions fondamentales. La *Res publica* ne peut être confondue avec le titulaire provisoire, mortel, de l'autorité, sans verser dans l'usurpation et la tyrannie. Le *domanium regium* n'est pas le *patrominium regium*, le prince n'est pas l'Etat. Hobbes dira: le souverain *Léviathan* est *persona civilis*. S'il y a une consistance propre de la sphère publique, il reste que cette réalité n'est pas une chose immédiatement donnée, elle est constituée par la volonté des individus. C'est à la reconstitution rationnelle de ce corps que s'attachent les doctrines contractualistes. par suite, il est absurde de reprocher à ces 'modèles' de manquer le phénomène social dans sa complexité vécue. Le caractère heuristique de la représentation est fortement soulignée: Le *covenant* de Hobbes 'n'est pas un événement historique mais une déduction rationnelle par laquelle se trouve instituée la *Res publica*' (168). Avec Rousseau le cap est mis sur une interrogation précritique portant sur 'les conditions de validité d'un état de fait.' 'Du *Discours au Contrat social*, il n'y a pas de contradiction comme on l'a cru: il y a changement de perspective et changement de plan. On passe d'un problème d'origine à un problème de fondement' (217). L'ouvrage ne décrit pas un projet politique à réaliser dans l'histoire — Rousseau est anti-révolutionnaire — mais définit une sorte d'idée régulatrice, une tâche infinie, comme telle irréalisable et consciente de son caractère essentiellement utopique. Pour juger du fait il faut une idée et le déploiement d'une telle idée est philosophiquement nécessaire.

On mesure par là la distance qui la sépare de Hume: 'la plupart des Etats naissent dans la violence; seul, le temps convertit en droit et en autorité ce qui ne fut d'abord que force et violence' (209). Selon lui, le contrat originaire n'est qu'une idée pure, sans réalité et sans effectivité: elle ne peut que fonder des 'nations philosophiques' (208).

Il est paradoxal que l'idée de Contrat social à laquelle le nom de Rousseau est intimement associé reçoive dans son livre un traitement qui en fasse ressortir l'étrangeté et, pour tout dire, le caractère problématique. 'L'institution du gouvernement n'est point un contrat' (CS, III, 1b). 'La confédération primitive' n'est pas conclue inter pares; il n'engage pas, comme le *covenant* de Hobbes, les individus les uns envers les autres, mais *engage réciproquement* 'le public avec les particuliers' (220). Or, à l'instant du pacte le peuple n'est que l'espérance ou la promesse d'une personne morale juridiquement



reconnaissable.' D'autre part, le corps public contracte avec lui-même (*Emile*, v, 861), 'chaque individu contracte pour ainsi dire avec lui-même' (*CS*, I, 7). Quelle est donc l'articulation exacte d'un tel contrat avec la notion centrale de volonté générale? Nulle part on ne voit que cette fameuse entité idéale résulte du pacte social. Souffrant d'un vice de forme du point de vue de la logique juridique, il faut chercher plutôt la pointe de la pensée de Rousseau dans 'son souci de fondation, déjà transcendantale, des sociétés civiles' (223, n. 36).

Hegel, on le sait, refuse d'utiliser une catégorie propre du droit privé — Kant s'insurgeait déjà contre le contrat d'affaires à la Hobbes — pour fonder l'essence pure de l'Etat. L'Etat ne peut être ravalé au plan d'un instrument de protection des droits subjectifs, ramenés à de simples propriétés. L'Etat n'est pas davantage une mécanique, un *artefact* fabriqué par des volontés particulières pour leur sécurité et leur bonheur. Il est lui-même une totalité organique, différenciée qui, certes, intègre et respecte la dimension de l'individualité et les intérêts particuliers mais les 'dépasse' dans une idée plus haute. A l'encontre du schéma artificialiste et subjectiviste — le *Volo* de Hobbes est tout aussi moderne que le *Cogito* de Descartes — l'Etat est substance éthique, objectivation historique de l'Esprit. Comme le dit S. Goyard-Fabre, le peuple est uni-pluralité.

Pour Marx, l'historicisme hégélien reste, malgré tout, tributaire du volontarisme abstrait des théories du contrat. Le politique n'a pas de pesanteur propre, il n'est que façade illusoire, imposture 'idéologique' qui occulte l'exploitation et la domination d'une classe. Avec la disparition de toute classe, l'Etat doit logiquement dépérir dans le règne des 'producteurs associés.' Pourquoi perdrait-on alors son temps à élaborer la théorie des formes et des limites d'une réalité condamnée, assure-t-on, par l'Histoire. Dans ce vide s'engouffrer le politisme intégral de Lénine. En attendant l'avènement de la cuisinière, le diktat du parti unique éternise la transition.

Malgré les assauts répétés de ses critiques, l'idée revit sous une forme ou sous une autre. Dans une chronique de 1948, Camus proposait expressément un 'nouveau contrat social.' Bien qu'il ne fasse pas le procès, en bonne et due forme, des axiomatiques contractualistes, Merleau-Ponty les atteint indirectement par la critique du rationalisme systématique. Enfin, E. Faure lança en 1963 l'idée du 'Nouveau Contrat social'; en 1970, il proposa l'organisation d'un Comité d'Etudes qui, depuis lors, s'est réuni à plusieurs reprises en colloques.

Le lecteur appréciera l'analyse limpide, fine, précise des grands représentants de la tradition mais aussi les exposés consacrés à des auteurs de moindre stature dont le rôle fut pourtant considérable: les Monarchomaques, Grotius, Pufendorf, Burlamaqui, Thomasius, Wolff, Achenwall, etc. Il convient de mentionner ici l'effort soutenu de S. Goyard-Fabre pour les faire connaître. Après la réédition de la Boétie, *Le citoyen* de Hobbes, le *Traité du gouvernement civil* de Locke, le *Projet pour rendre la paix perpétuelle en Europe* publiés chez Garnier-Flammarion, le Centre de philosophie politique et juridique de l'Université de Caen vient de faire paraître *Les devoirs de l'homme*

et du citoyen de Pufendorf, *Principes du droit politique*, de Burlamaqui, *Le droit de la guerre et de la paix* de Grotius dans la traduction de Jean Barbeyrac (1724); on annonce la parution prochaine du *Testament politique* de Richelieu. Longtemps introuvables, ils sont à nouveau accessibles dans des éditions remarquables.

JEAN ROY  
Université de Montréal

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FRANK HARRON, JOHN BURNSIDE, M.D., and TOM BEAUCHAMP. *Health and Human Values: A Guide to Making Your Own Decisions*. New Haven and London: Yale University Press. Pp. xv + 194. U.S.\$24.95 (cloth: ISBN-0-300-02898-9); US\$6.95, Cdn\$9.95 (paper: ISBN 0-300-03026-6).

Harron, Burnside and Beauchamp have written this book with a wide audience in mind; they remark (xiv): 'Whether you are a doctor or a patient, a clergyperson, attorney, or interested lay person, a student or a practicing professional, a law maker or a citizen who seeks to influence public policy, the issues in this book will surely touch your life directly.' The issues covered are abortion, euthanasia, brain death and organ donation and transplanation, informed consent, applied genetics, and the right to health care.

The authors neither develop nor defend a particular ethical stance on these issues: they prefer to remain neutral, their objective being to present a balanced and clear statement of positions surrounding the ethical dilemmas encountered in the above mentioned areas.

The format of the book is somewhat unique. A chapter typically begins either with a case from the Courts (e.g., Saikewicz) or from clinical practice, followed by an extensive investigation by the authors of the ethical issues generated by the case, and concludes with excerpts from two or three articles or books where various authors advance particular positions on issues. Each chapter has a good bibliography and a good set of suggestions for additional reading.

In addition, the book comes with three companion volumes (ordering information can be found at the end of the book, following the index) which are very useful. These companion volumes are:

- 1) Biomedical-Ethical Issues: A Digest of Law and Policy Development. Pp. xii 168.



A lengthy index, with summaries, of important legal cases (e.g., *Roe v. Wade*, *Quinlan*, *Canterbury v. Spence*) and other documents (e.g., U.S. Federal Guidelines on Fetal Research).

- 2) *Human Values in Medicine and Health Care: Audio-Visual Resources*. Pp. v 87.

What the title implies.

- 3) *Leader's Manual for Health and Human Values*. Pp. ix 38.

A manual with suggestions on how to organize a discussion group covering the topics in the main text.

With one exception, the authors succeed in achieving their objective of providing a balanced presentation of the issues involved. The exception concerns their discussion of euthanasia, where they opt for a wide definition of the term, without any discussion of arguments in favor of a narrower definition, or even indicating that there may be a reasonable difference of opinion on the question. (A good discussion of the definitional issue may be found in Beauchamp and Walters, *Contemporary Issues in Bioethics* [2nd Ed.] 307-12.) The definition given in the text under review is this (41):

Euthanasia-putting to death or failing to prevent death in cases of terminal illness or injury: the motive is to relieve comatoseness, physical suffering, anxiety or a serious sense of burdensomeness to self and others. In euthanasia at least one other person causes or helps to cause the death of one who desires death or, in the case of an incompetent person, makes a substituted decision, either to cause death directly or to withdraw something that sustains life.

This broad definition includes as acts of euthanasia, besides the termination of an individual's life for compassionate motives, also what may be called acts of assisted suicide and withdrawal or withholding of treatment, and even cases where patients request a no-code status or refuse treatment.

However, these finer distinctions, and even the question of the definitional issue, can be clarified with the assistance of a competent instructor, and so this is not a serious shortcoming, and this comment is not intended to reflect adversely on a text which deserves serious consideration by those who teach in this area.

The extremely interesting case in the Chapter on Informed Consent, where the defense of therapeutic privilege was pleaded, should have been provided with a footnote citation to the original case.

BRIAN CUPPLES

The University of New Brunswick

DONALD HODGES. *The Bureaucratization of Socialism*. Amherst, MA: University of Massachusetts Press 1981. Pp. xiii + 210. US\$15.00. ISBN 0-87023-138-3.

The harsh reality of existing socialist regimes stands in striking contrast to the bright optimism of the *Communist Manifesto*. With the abolition of private property, Marx and Engels write, the state shall wither away, and 'in place of the old bourgeois society, with its classes and class antagonisms, we shall have an association, in which the free development of each is the condition for the free development of all.' Instead, however, socialist regimes have been characterized by rigid bureaucracies, extensive instruments of state control, and significant income inequalities.

In *The Bureaucratization of Socialism* Donald Hodges offers a broadly Marxist theory to account for the divergence between the ideal and the practical reality of socialism. (He is only concerned with revolutionary socialist regimes: the Soviet Union, Eastern Europe, China, and Cuba. He does not consider the social democracies of Western Europe.) Hodges' explanation of the failure of Marx's expectations in this area hinges on his criticisms of Marx's analysis of class. Marx holds that class power derives from control of a 'factor of production,' by which he means land, labor, and instruments of production. Marx's analysis thus identifies three great classes: the capitalist class, in control of the instruments of production; the aristocracy, owning land; and the proletariat, possessing labor power. Hodges argues, however, that this analysis omits a factor of production which confers power on those who wield it, but which cannot be assimilated either to capital or to labor power: scientific and organizational expertise. To understand post-capitalist society, we must 'add a fourth great class defined by the ownership of expertise — the specialized administrative, professional, and scientific skills common to functionaries in all walks of life' (17). Hodges refers to this factor as 'organization,' because it enables those who possess it to organize and control social institutions, and he refers to the class defined by ownership of this factor as the bureaucratic class. The members of this class are 'the owners of scientific and organizational skills' (17).

When this new factor is added to Marx's analysis, the expected development of socialism is no longer the same. The abolition of private property in means of production abolishes the distinction between capitalist and worker, but it leaves unaffected the power wielded by the custodians of organization — the administrator and the technocrat. The bureaucracy may be expected to attempt to consolidate and extend its power, and it is generally in a position to do so. Thus Hodges maintains that the transition from capitalism to socialism may be expected to show a strong tendency towards bureaucratization: 'Rule by a bureaucratic class, not communism, is the imminent wave of the future' (62).

Moreover, Hodges maintains that this bureaucratic class becomes a ruling class in the traditional Marxian sense: it becomes a class which extracts an



economic surplus from the immediate producers (ix). Put simply, his view is this: within capitalism, the bureaucracy functions to pump surplus value from the working class for the benefit of the capitalist class. It is neither exploited nor importantly the beneficiary of exploitation; rather, it is a privileged instrument of the bourgeoisie. With the abolition of the capitalist class, however, the bureaucracy attempts to seize the surplus product for its own use. 'The conflicts internal to socialist societies can be traced to the struggles within and between these two classes [the bureaucracy and the petty bureaucracy] for a redistribution of the economic surplus' (75-6). Thus the bureaucracy within post-capitalist society is an exploiting class.

In spite of its unquestioned strengths, the book has several significant shortcomings. The first is terminological: the term 'bureaucracy' is used to encompass the entire class of owners of 'scientific and organizational skills.' But the term is infelicitous; it is awkward to refer to the scientist conducting research within the university as a 'bureaucrat.' Hodges confronts this problem in Chapter Four (40-5), where he maintains that the term 'intelligentsia' may be used interchangeably with 'bureaucracy.' He suggests that the two terms single out separate strata of the same class: the functionaries of the administrative apparatus, and the possessors of specialized intellectual skills (40). What is in common between these groups is that each occupies a position of privilege and power in virtue of its possession of specialized expertise. This treatment of the problem is unsatisfactory, however, since the two terms are plainly different in meaning. It would be preferable to find a term which more accurately identified the class as a whole.

This terminological problem points up a more substantive issue as well: the distance between the bureaucrat and the scientist is as great as that between the terms themselves. Hodges seems to be conflating two rather distinct social categories within one concept: the social skills needed to organize and direct a large social organization, and the specialized knowledge of nature and society included in science and technology. In Chapter Three Hodges tries to demonstrate the homogeneity of these two forms of expertise. He asks rhetorically, 'Is science a productive force distinct and separate from organization? ... Or is science the power of organization, and organization the embodiment of science?' He concludes that the latter is the case: 'Behind organization we find organizing activity, and behind it the organizing power of science ... Brain power is at the root of organization' (22-3). But metaphor has replaced argument here, and it seems more reasonable to conclude that organization and scientific knowledge are distinct. In some ways this judgment fits Hodges' case better than his own position does. For example, in Chapter Eight he emphasizes the conflict between the technocrats and the administrators (136ff.); but it seems reasonable to construe this conflict as one between possessors of distinct productive forces.

Finally, Hodges' concept of exploitation requires some attention. An important element of Hodges' position is his judgment that socialism is exploitative. (Indeed, Hodges describes his analysis as a 'theory of bureaucratic exploitation' [x].) The classical Marxist theory of exploitation depends

upon the labor theory of value: labor power is a commodity which creates more value than it costs. The capitalist expropriates the surplus value, thereby exploiting the worker. But the labor theory of value is only applicable to a commodity-producing economy; the categories of value and surplus value have no application in post-capitalist society. This means that Hodges cannot depend upon Marx's concept of exploitation, but must develop a concept which is applicable to post-capitalist society. (Such an account might be based on real products and real wage — see Ian Steedman, *Marx After Sraffa*.) Until he has provided some such account, his central thesis is technically meaningless.

In spite of these qualifications, Hodges' book is a noteworthy contribution to Marxist theory. The problem Hodges considers is of real importance, both intellectually and practically for the socialist movement: what are the social relations of production characteristic of post-capitalist society in virtue of which socialist regimes have become the bureaucratized orders which they are? Hodges' work is a welcome attempt to provide a theoretical account of post-capitalist society in answer to this question. His approach is not wholly original; writers as diverse as Milovan Djilas and J.K. Galbraith have made similar points. But his book is admirable for the care and detail with which it is developed. It provides a clear explanatory model (that expertise becomes the dominant factor of production within socialism, and creates a new ruling class — the bureaucracy); it gives detailed and fair consideration to alternative views; and it gives an interpretation of important aspects of the actual development of socialism in the Soviet Union, Cuba, China, and Eastern Europe which illuminates both Hodges' own theoretical analysis and the course of socialism in those countries.

DANIEL LITTLE  
Colgate University

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JAMES R. HORNE. *The Moral Mystic*. Atlantic Highlands, NJ: Humanities Press 1984. Pp. 144. US\$14.50. ISBN 0-88920-149-8.

The aim of *The Moral Mystic* is to examine the relationship between religion and morality by considering the moral life of the mystic. Horne provides a description, sympathetic analysis, and evaluation of that moral life, but he does not offer any justification of it. Hence the book constitutes a preliminary exploration of the ethics of mysticism.



It opens with a description of some familiar 'moral denunciations of mysticism' (23), made by Tillich, Niebuhr, Buber, and Danto. The tenor of these denunciations is that the mystic is amoral:

To put it bluntly, the purest mystics appear to be most self-centred. Their concentration is entirely on their own consciousness, on their own experience of union with God ... Thus, while they may be good examples and bearers of good news, they do seem to lack sympathy and concern for other persons. Society's aims and the world's progress are irrelevant to them. (5-6)

The question is whether these criticisms are applicable to all forms of mysticism, indeed to all of religion, so that 'moral guidance cannot proceed from religion' (24), or whether perhaps only one form of the mystical life is guilty of these charges.

In order to investigate these possibilities, Horne first undertakes a brief analysis of the concepts of mysticism, morality, reason, and religion, distinguishing two types of each. Possibly the most controversial of these is the first. Drawing upon W.T. Stace's distinction between extrovertive and introvertive mysticism, Horne suggests that there is a type of mysticism which is 'pure.' Pure mysticism is said to be without obvious doctrinal content, and to involve an undifferentiated enlightenment experience achieved by a process of hypoarousal (repeatedly described as 'technical'), that is, the deliberate exclusion from consciousness of all thoughts, images, and interpretations. Stace regarded pure or introspective mysticism as more complete than extrovertive or what Horne calls 'mixed' mysticism, which is said to involve a unitive experience of the features of the world. By contrast, Horne suggests that mixed mysticism is more valuable, because the mystic is not obsessed with his own psychological processes, but looks outside of himself to his personal and social obligations, and is thus a more complicated, aware, and involved human being.

On the other hand, the practitioner of pure mysticism is 'more likely to be amoral' (29-30), because 'he allows hypoarousal, which should be only a means, to become an end which obscures and suppresses all others, including those of morality' (40). Thus, the pure mystic is unlikely to take heed either of 'social morality' — the morality that enjoins us to sympathetically consider other persons' points of view and interests — or even of 'proper-name morality' — that highly personal vision of the ideal life which is perceived as an individual calling.

Horne's general answer, then, to critics who charge that mysticism is amoral is to agree that one form, pure mysticism, often is or can be, but to insist that another, mixed mysticism, generally is not. The latter claim is illustrated through a discussion of two 'moral mystics,' Evelyn Underhill and Thomas Merton, and one 'mystical moralist,' Vera Brittain, who exemplify a special decision procedure for moral problems which evolves out of their pursuit of the mystical path.

In assessing this picture of the moral mystic, several questions arise. The first two focus on details of Horne's argument; the others concern issues which go beyond the book's analysis.

First, is so-called pure mysticism really more likely than mixed mysticism to be altogether amoral? Horne seems correct in stating that persons devoted to the contemplative life reject social morality. But they do so out of a conviction of the unreality or insignificance of human selves. Thus their choice is made deliberately, on the basis of an ordered system of values, perhaps a type of proper-name morality. Horne may well believe that adherence to both forms of morality is necessary in order to be a truly good person, but he has not shown that the pure mystic is beyond the pale of moral life altogether.

Second, and more fundamentally, is there such a phenomenon as pure mysticism at all? Horne's three criteria for it seem unlikely to be satisfied. His own examples, Underhill and Merton, who are alleged to have progressed in their lives from pure mysticism to mixed mysticism, certainly held beliefs, both moral and social, during the stage of their alleged pure mysticism. Moreover, scholars such as Stephen Katz have cast considerable doubt on the claim that there are or can be pure, contentless enlightenment experiences; Horne acknowledges this point himself (61). And, while some mystics use methods of purification to free themselves from personal fears, beliefs, and images, it does not seem true that for devout practitioners these methods are no more than 'techniques' which become an end in themselves. They are a part of a whole life, deliberately chosen and seriously pursued. Thus, while it cannot be denied that there are varieties of mysticism, it is doubtful that the distinction between pure and mixed mysticism is the best way to understand them, since pure mysticism seems to be non-existent.

After reading *The Moral Mystic* one is led to questions which go beyond the scope of the book but to which it provides an appropriate introduction: Are mystical forms of morality true? Can they be justified? Do or can moral claims have a genuine religious or mystical significance? Horne has demonstrated that a person can be both a mystic and moral; he can live 'a creative life of personal commitment in which the good is sought and recognized in both proper-name morality and social morality.' What is now needed is some defence of his further claim that the mystic really lives a life 'in which God appears in a special way,' vouchsafing both moments of moral certainty and moments of perplexity (113).

CHRISTINE OVERALL

Marianopolis College, Montréal



JOSEPH H. KUPFER. *Experience As Art: Aesthetics in Everyday Life*. Albany: State University of New York Press 1983. Pp. vii + 216. US\$29.95 (cloth: ISBN 0-87395-692-3); US\$8.95 (paper: ISBN 0-87395-693-1).

Joseph Kupfer is interested in the ways that aesthetic value contributes to a good life, one that is satisfying, complete, and moral. He shifts discussion of aesthetic issues away from the usual focus on art and explores the role of aesthetic value in contemporary society, choosing for particular scrutiny education, the phenomenon of social violence, morals, sexual relationships, sports, decision making, and death. Kupfer argues that the absence of positive aesthetic quality helps bring about the failure of social institutions and relations, and that aesthetic order fosters characteristics and habits that suit a well-balanced life. Thus aesthetic principles can be used to make important decisions and to understand the morality of actions.

Because of the enormous influence Kupfer attributes to aesthetic quality, two questions arise that are crucial for this book: What concept of the aesthetic is at work in this argument? And is it adequate to perform the function Kupfer assigns it? The concept of the aesthetic he employs turns out to be rather traditional. The aesthetic object is free from practical use and not valued as a means to an end; aesthetic form integrates complex parts into a unified whole. Kupfer maintains that aesthetic experience requires both 'responsivity' and 'reciprocity,' that is, that the sensitive perceiver freely explore the imaginative possibilities latent in the aesthetic object. (The theme of freedom is important in his theory, and he develops some interesting variations on Kant's 'purposiveness without purpose.') He believes that the order to be discovered through aesthetic experience leads to a parallel ordering and integrating of the personality, which has practical benefits as well. 'Aesthetic' methods of education, for example, are more effective because they harmonize the reason with emotion and desire (28). Of sexual relations he says, 'Aesthetically complete sex is understood in terms of a cluster of important social relation-habits — responsivity, risk-taking, and reciprocity. Perverse sexuality then derives its meaning from a practice's structural tendency to undermine these positive social habits' (110).

In order for the aesthetic to carry out the function Kupfer attributes to it, he needs to show that having aesthetic experiences helps make people respectful of others, fully developed moral agents, and good citizens. To make this case he relies heavily on reasoning by analogy, comparing human communities with aesthetic objects. 'If the aesthetic object possesses some of the formal relations constitutive of human community, then those relations can instruct our responsive freedom' (73). Not just any human community will do, it turns out, but only a democratic one the members of which are respected as individuals. The loading of extra values into this discussion is casual and easy to miss because the analogy itself becomes strained. 'Reciprocity is central to human community,' Kupfer contends, 'so we are not stretching meaning to say that an aesthetic object consists of a community

of parts or members' (70). However, both meaning and plausibility are stretched indeed with the claim that learning to appreciate a symphony fosters respect for the interests and individuality of other human beings. 'When we recognize the climax of a symphonic movement ... we also recognize the motifs, variations, and inversions which it recalls and completes. It becomes impossible to grasp the qualities of one segment or movement without considering others and their relations. In the ideal human counterpart, it becomes impossible to pursue our ends privately or at the expense of others' (74). Despite the general comparability of parts and wholes, little but optimism suggests a deeper causal relationship between aesthetic appreciation and ethical behavior. Clearly, explicit appeal to additional moral and social values is needed to support the kind of social relations Kupfer advocates. I do not believe it diminishes the importance of aesthetic values to acknowledge the limits of their influence.

Kupfer's analysis founders under the moral weight he attributes to principles of aesthetic order. Perhaps that is why, in my view, his most successful chapter deals with sports. His consideration of the nature of play and the varieties and particular aesthetic qualities of different sorts of athletic events is absorbing and convincing. Here he shows himself to be an acute observer and thoughtful analyst, and the aesthetic principles he uses are appropriate for critical and explanatory discussion.

Though his argument on other topics is weaker, some of his observations are interesting and important. The chapter on decision making contains a good critique of cost-benefit calculation, for example, and the sections on education and violence include a vivid catalogue of the aesthetic deprivations of our environment and their unhappy effects. Without doubt, the significance of aesthetic quality is sorely neglected in many of our social institutions, and Kupfer has presented a thought-provoking view of this problem. It is to be hoped that his book will initiate both further thought and eventual action that address this critical subject.

CAROLYN KORSMEYER

State University of New York at Buffalo

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JOEL KUPPERMAN. *The Foundations of Morality*. London: George Allen and Unwin 1983. Pp. ix + 162. US\$25.00 (cloth: ISBN 0-04-370124-8) US\$9.95 (paper: ISBN 0-04-370125-6).

What project would one expect to find undertaken in a book entitled *The*



*Foundations of Morality*? No doubt the answer varies according to one's conceptions of morality and of a foundation. Many philosophers take morality to provide the ways to judge good and evil, themselves objective properties of states of affairs. As to the *foundations* of morality, such readers might naturally use the term as people do who speak of the foundations of knowledge: to refer to a set of judgments which have no need of justification by deduction from other judgments of the same kind. So, these readers would expect Kupperman to identify those special, foundational judgments, explain their relation to others, and so on.

These natural expectations would be disappointed, however, for the author is engaged in a different project with fresher prospects. He means by morality a particular social institution whereby we seek to affect each other's behavior and to guide our own. Now, identifying the foundations of a social institution might seem more the business of a social psychologist than a philosopher, calling for a general theory about how (in fact) the behavior of one person affects that of another. The author does not pretend to have such a theory. Instead, he shows that a great deal can be said here through the careful application of common sense.

He also believes philosophers able to contribute more than this, by means of ethical theory. Specifically, by using the proper ethical theory a philosopher 'provides the foundation for morality in much the same sense in which acceptable theories of physics and chemistry provide the foundation for everyday judgments about the physical world: it provides a scheme of interpretation that makes sense of everyday moral judgments, and also provides a way of deriving and testing such judgments' (112).

To many, this will seem too conservative a role for the ethical theorist, preventing him or her from contributing striking moral insights *contradictory* to everyday moral judgments. Kupperman, by contrast, is skeptical about the value of moral flashes as guides to how the social institution of morality should be structured. But he also depicts ethical theory as 'providing a clear standpoint from which to criticise moral common sense' (67), and depicts it as doing 'more than simply excavate what is contained in moral common sense' (67). The theorist is to do more not by flashes of moral insight but by considering everyday practices and (local) moral common sense in the light of what morality is and how it works. Kupperman believes this should lead us to conclude, for example, that it is not a good idea for the morality to approve of wasteful consumption by the wealthy in full view of the desperately poor, because that disaffects the desperately poor.

Obviously, this is a different sort of criticism of the practices of one's day than the sort which begins from a moral insight about them. Since the moral insights we manage to have are (at least) strongly influenced by the practices of our day, criticism-by-insight seems no more independent than criticism of Kupperman's allegedly too conservative sort.

According to Kupperman, there is a form of consequentialism which does best at this job of making sense of everyday moral judgments and deriving and testing them. It is not what one might call *act-consequentialism*,

however, nor is it any form of utilitarianism. Kupperman has arguments against these. He favors '... "attitude consequentialism", in which the unit judged by the consequentialist standard will be most fundamentally a system of attitudes (and the policies expressing these), rather than the individual moral act or an inviolable moral rule ...' (106).

His idea, then, is that if we evaluate (by their consequences) the attitudes expressed in our practices we can do two things better than if we accepted some other ethical theory or stuck to moral common sense. First, we can better explain why it is that we have certain of our practices — why, for example, we allow no exceptions to certain core rules but are more flexible regarding other matters. Second, we can do better at providing 'criteria for which features of a case are morally relevant ... and ... rough criteria for how relevant features of a case are to be weighed once they have been identified' (113).

The arguments for these conclusions occupy the heart of a carefully constructed book. They follow arguments that this is the proper test of an ethical theory. In the process, Kupperman offers a number of intriguing short discussions of such matters as moral luck, the supererogatory, the role of ethical ideals and of ethical education, and the advantages and disadvantages of detachment. His book will richly repay its readers, quite apart from whether it convinces them.

NORVIN RICHARDS

University of Alabama

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BEREL LANG, *Faces ... and the other ironies of writing and reading*. Indianapolis: Hackett Publishing Company 1983. Pp. 106. US\$9.75. ISBN 0-915145-49-9.

To review Berel Lang's *Faces* is an unusually daunting task. For, as Lang makes clear in his preliminary observations (his 'Articles of Incorporation'), there is, in the first place, a significant sense in which there is no such work as *Berel Lang's Faces*. Secondly, the *Faces* in question are really the reader's — and hence the reviewer's — own, reflected in the pages of the book. So one's reflections upon Lang's reflections are as much a comment upon oneself as upon Lang and/or 'his' text. A propos of the first point, Lang asserts that this text is not in fact the work of one, but of several persons. It would be best to see it as the effort of a corporation: indeed, he proposes the corporate name



'Babel, Borges, Barthes and Berel, Inc., Traders in New and Restored Ironies.' In this way, some of the book's central influences are announced. However — this is what is involved in the second point — we must not regard this collection of writings as a finished, fixed product of corporate endeavour. Each reading, even the author's (or authors') own rereading, is a re-creation bearing the mark of the reader, though nothing in the actual text is altered thereby.

As the 'ironies' of the title suggests, the forty-two brief essays collected here are not analytical discussions of traditional philosophical problems. Rather, unorthodox possibilities are explored by means of a 'what if ...?' sort of approach which challenges the reader to look at taken-for-granted assumptions from different angles. Why is it, for example, that we think a book should contain many words and many pages? Would it not be much more remarkable, and much more extraordinary an intellectual achievement, to be able to say it all in just one word? But then, if this ever were to be done, would there be anyone capable of reading that word? And consider the irony of Linnaeus, whose work heralds Russell's famous paradox: Linnaeus, 'the classifier of all classes [who] did not find himself to be the member of a class' (84). Or one might ponder the curious allegiance of human beings to institutions which seem primarily to 'foster the conditions they are meant to overcome' (43) — and conjecture that reasons for this might, in part, be explained by the difficulty of creating institutions to teach people to live by themselves. These are only some of the ironies with which Lang prods at his reader's complacencies.

The essays are collected into four groups. In the section entitled 'I Words,' we reflect upon the power of words to wound, perhaps to kill; upon how one might interpret a silence which is plainly much more than mere absence of words; upon the open-ness of the strategy in a mystery novel, and the reverential, worshipful attitude of readers in a library. In one of the best pieces in this part of the book, we are instructed by the example of a man who liked best of all to read the telephone directory, praising the directory for its lack of form, yet rigorous formal structure, for the possibilities of free association it offers, for its rhythm and continuity, and for the 'assurance of bare fact and truth' (11) it presents. The reader cannot help but wonder at the many requirements we standardly place upon literary works, and question their legitimacy.

In 'II Signs,' we are prompted to think about the sort of life an advertiser gives to objects — and how, in so doing, he sells himself short. A possible alternative to our current commercial practices depicts the communal solidarity that might come into existence if there were a supermarket which sold everything for the same price, so that we could be certain, in buying something, that its cost was shared by all the customers. The irony, perhaps, in this conjecture is its optimistic view of human nature. For the situation might just as easily be divisive, leading some always to buy smaller things, and make fewer purchases, thereby forcing others to bear more of the burden. Lang may have a point here, though, for his thoughts on community are more

usually right than wrong. 'Could a person spin himself of a whole cloth?' he asks (39). He means to suggest that even if people could be born as fully mature adults they would, lacking parents, lack origins and community. Theirs would be a life marked by loss.

In 'III Sins,' we are shown how difficult it is for people to imagine a future from which they are absent, and how curious it is that the apple has become a scapegoat in discussions of sin when, in the Biblical story of the Garden of Eden, there is mention, indeed, of 'fruit,' but there is no apple. We confront the strangeness in the human preference for symmetry, and we ponder the relation between Nietzschean eternal recurrence and the universalizability central to the Kantian Categorical Imperative. Would it be better, or worse, one wonders, if one's actions were universalized not for others, but 'for oneself in all time' (74)? Would one, having once acted, lose the need ever to act again? Lang's questions admit of no easy answers.

The 'People' of the final section include Michelangelo and Borges, Leibniz and Plato. Perhaps Michelangelo left many of his works unfinished because his hands knew more than his head. Perhaps Borges should be taken to task for not questioning the reality of the books with which he lives. If, as Leibniz asserts, the best of all possible worlds really exists, would its inhabitants be able to recognize it? Did Plato include such forms as beds, hair and mud in his Theory of Forms in order to allow existence to the self as contemplator of Forms?

Lang does not confuse the reader with arguments, and attempts no outright answers to the possibilities, conjectures, and conundrums he poses. But these are not needed. It is enough to have offered up such a disparate collection of interesting, provocative, elegantly written challenges to our capacity to reflect. The onus is upon the reader to provide arguments — and such interim answers as may be possible.

LORRAINE CODE  
University of Waterloo

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JEAN FRANÇOIS LYOTARD, *Le Différend*, Paris: Editions de Minuit (Collection 'Critique'), 1983, 280 p. 82 FF ISBN 2-7073-0661-4

L'ouvrage de Jean François Lyotard se présente comme une radicalisation de la pragmatique. L'auteur tente d'y penser 'à la hauteur d'une certaine post-modernité' en mettant la pragmatique à l'heure de la philosophie. Cet *aggiornamento* philosophique de la pragmatique consiste à désanthropologiser les



problèmes psychiques et sociaux posés par le dynamique du langage. Ce qui est force et puissance dans la communication ne réside pas dans le vouloir dire des sujets, dans leurs croyances, leurs intentions ou leur vouloir, ni non plus dans la sincérité ou l'insincérité des interlocuteurs ou la reconnaissance de l'autorité sociale du consensus, mais dans la production du sens, qui permet aux communicateurs d'instaurer des contextes de connaissance et d'action, de poser l'existence et la forme des choses et d'eux-mêmes. La dynamique du langage est d'emblée transcendante par rapport à ses dits 'usagers,' son activation fait oublier l'anthropomorphisme et le subjectivisme dans lesquels les pragmatiques du langage cantonnent habituellement les interlocuteurs. Le but explicite de cette pragmatique philosophique est d'instaurer l'espace d'une politique philosophique en faisant valoir la force objective des jugements présents dans les divers jeux de langage et en redonnant ainsi à tous les protagonistes de la vie sociale leur puissance de juger au-delà du bien et du mal.

La radicalisation de la pragmatique s'opère à l'intersection de l'herméneutique et du behaviorisme, au niveau de la production et de la réception du sens des phrases, en plein cœur de la pragmatique de la pensée. La dynamique de la pensée et de la parole est communicationnelle: cela veut dire ici qu'elle transforme référents et sujets en contexte en sélectionnant ce dont il est parlé, ce qui en est dit et en faisant oublier tout le reste. Avant de vouloir maîtriser sa parole en la réglant sur l'accord de la pensée et de l'énonciation (à la façon d'Austin, de Grice et de Searle) ou en la pliant aux lois d'une nécessité objective, aux lois du consensus (comme le désirent Apel, Habermas et Rorty), le producteur de phrases (pensées ou dites) les reconnaît porteuses d'une force de fixation à elles-mêmes aussi bien qu'à l'expérience qui y est objectivée. Cette force du sens se manifeste dans le choix des expressions référentielles et prédicatives avant d'apparaître au niveau de la pensée réflexive comme conscience de sincérité, d'intention d'agir, de croyance, de vouloir, d'accord ou de désaccord avec autrui. Phrases descriptives, prescriptives ou expressives affectent de compréhension mais aussi de désir, d'incitation à agir et de perception. La raison verbale est ainsi déjà incarnée, déjà sensibilisée au niveau dynamique: pensée et parole ne sont pas des objets de conscience abstraits mais véhiculent une force de fixation à la perception, à l'action ou au désir qui y est objectivé, à moins qu'elles n'en désenchaînent. Tout au long des 264 paragraphes et des 14 notices du *Différend*, ce leitmotiv conduit JFL à soumettre la force des phrases à la critique nietzschéenne de la morale moderne (ressuscitée par les pragmatiques contemporaines): la philosophie s'attaque au marteau à la pragmatique du sens.

La mise en évidence des effets dynamiques nécessairement liés à l'occurrence des phrases autorise JFL à affirmer la multiplicité des enjeux des énonciations: des enjeux dictant l'enchaînement des propositions entre elles aussi bien que leur mise en prise sur le réel et sur les diverses expériences qu'elles objectivent. La critique diltheyenne de l'histoire avait fait reconnaître la multiplicité irréductible des formes de vie culturelles, la critique wittgensteinienne du langage avait habitué à la multiplicité des jeux de langage: la criti-



que de la force politique des phrases affirme, dans le sillage de Dilthey et de Wittgenstein, l'hétérogénéité des régimes des phrases, l'hétérogénéité des différents systèmes d'enchaînement des énoncés de connaissance, de perception, d'action et de désir qui constituent le langage. Demeure paradigmatique l'hétérogénéité du langage prescriptif au langage cognitif, toute imprégnée qu'elle soit de la distinction posée par les temps modernes entre le sujet théorique et le sujet pratique (Cf. 'L'obligation' 159-86). La critique de la raison pratique aurait consisté à un langage dont l'enjeu n'est pas de connaissance, mais d'incitation à l'action: le langage prescriptif. La conscience du devoir n'était-elle pas présumée faire le partage entre les actes humains et ceux qui ne le sont pas? La conscience de l'obligation, la conscience de devoir produire telle ou telle action au détriment de toutes les autres actions pensables, n'est que la réception par la conscience de l'incitation dynamique à déclencher le seul et unique programme d'action objectivé dans la phrase. Si produire une pensée ou une phrase, c'est se présenter un état de choses ou une action ou les présenter à autrui en s'enchaînant ou en l'enchaînant à la connaissance de l'état de choses décrit ou à la production de l'action représentée, si la production d'une phrase conditionne la production de toute autre expérience, on ne peut régresser au-delà de cette action pour la légitimer par l'action de la représenter et en légitimant l'action verbale de la représenter. On ne peut en effet justifier la sélection inconsciente qu'on a opérée en pensant telle phrase et pas telle autre: on ne peut choisir de penser telle ou telle phrase avant qu'elle n'arrive à la pensée. De même on ne peut prêter à une parole une autre force (de conscience, de perception, d'enchaînement à l'action, à la parole ou à la pensée, etc. ...) que celle qu'elle a dans telle ou telle situation pour tel ou tel protagoniste. L'occurrence de l'action représentée par les phrases prescriptives ne peut donc être davantage légitimée que la production de ces phrases, on ne peut prêter une force cognitive à la proposition prescriptive comme si l'action était sélectionnée comme le jugement de perception sélectionne le rouge de la table dans 'la table est rouge.' On ne peut donc mêler les genres cognitifs et prescriptifs en prêtant une force cognitive à la conscience auto- ou hétéro-prescriptive. Ce qui vaut du régime cognitif et du régime prescriptif des phrases vaut des autres régimes de phrases (les régimes esthétiques, politiques, économiques, etc. ...): ils sont incommensurables quant à leur sens parce qu'ils sont incommensurables quant à leur force d'enchaînement pragmatique.

Par là, la pragmatique se trouve non seulement fonder la syntaxe et la sémantique du langage, elle ménage également l'autonomie politique des porteurs de phrases. S'il s'avère aussi nécessaire d'enchaîner une phrase sur une autre qu'il est nécessaire d'objectiver verbalement toute pensée et toute action, aucun enchaînement particulier, par contre n'est a priori plus nécessaire qu'un autre. 'L'enchaînement d'une phrase sur une autre est problématique et ce problème est la politique' (11). Montrer la liberté d'enchaînement des phrases, c'est établir philosophiquement que l'autonomie politique de l'homme est indépendante des individus, des régimes sociaux, des régimes de phrases et c'est ainsi empêcher la réflexion d'oublier cette



autonomie (une fois qu'on l'a mise hors des prises de celle-ci): on rend justice à la liberté des individus au seul niveau où elle soit a priori effective et où elle puisse être reconnue.

L'envers de cette liberté est le conflit perpétuel dans lequel se trouvent les régimes de phrases les uns par rapport aux autres. Formuler une situation ou un rapport à l'action dans un idiome plutôt que dans un autre, c'est nécessairement causer un tort aux multiples régimes de phrases inhibés. Régler une question ou accorder une force cognitive à une énonciation, c'est se faire oublier la force interrogative de la situation, c'est oublier le conflit qui oppose l'énonciation au contexte et qui fait douter de sa pertinence, c'est enfin se dispenser de chercher le nouvel idiome qui serait seul susceptible de formuler une réponse adéquate à la situation. Abandonnons encore une fois le vocabulaire subjectiviste de la Modernité et généralisons: la situation générale de parole qui nécessite l'occurrence des phrases et la production opportune des jugements est celle du différend. 'A la différence d'un litige, un différend serait un cas de conflit entre deux parties (au moins) qui ne pourrait pas être tranché équitablement faute d'une règle de jugement applicable aux deux argumentations. Que l'une soit légitime n'impliquerait pas que l'autre ne le soit pas. Si l'on applique cependant la même règle de jugement à l'une et à l'autre pour trancher le différend comme si celui-ci était un litige, on cause un tort à l'une d'elles (au moins) et aux deux si aucune n'admet cette règle. ... Le titre du livre suggère (par la valeur générique de l'article) qu'une règle universelle de jugement entre des genres hétérogènes fait défaut en général' ('Titre', 9). JFL radicalise ici la remarque de Wittgenstein: 'La position sociale de la contradiction ou sa position dans le monde social, tel est le problème philosophique' (*Recherches philosophiques* § 125). Mais les jeux de langage n'existent pas comme des réalités en soi, des machines déjà bien montées qui se détraquent accidentellement dans la contradiction. Chaque phrase met face à un enjeu qu'on parvient ou non à saisir et à faire valoir, chaque jugement tranche face aux parties du conflit pour en faire jaillir l'enjeu.'

On ne joue pas avec le langage. Et, en ce sens, il n'y a pas de jeux de langage. Il y a des enjeux liés à des genres de discours. Quand ils sont atteints, on parle de succès. C'est donc qu'il y a conflit. Mais le conflit n'est pas entre des humains ou tout autres entités, lesquels résultent plutôt des phrases. Au fond, on présuppose en général *un* langage, un langage naturellement en paix avec lui-même, "communicationne," par exemple agité seulement par les volontés, les passions, les intentions des humains. Anthropocentrisme. La révolution relativiste et quantique en matière de langage reste à faire. Chaque phrase est en principe l'enjeu d'un différend entre des genres de discours, quel que soit son régime. Ce différend procède de la question: comment l'enchaîner? qui accompagne une phrase. Et cette question procède du néant qui "sépare" cette phrase de la "suivante". (Le différend §188, 199-200)

La contradiction n'est pas seulement le signe qu'on n'a pas saisi ou réalisé l'enjeu de cet enchaînement, elle n'est pas seulement un symptôme d'échec, elle est ce qui contraint à la formation des phrases, à l'activation des régimes de phrases, des genres de discours.

S'il y a autant d'enjeux que de phrases, que gagne-t-on à montrer l'universalité du différend? S'adonner au genre philosophique du discours, n'est-ce pas tenter de faire triompher le genre théorique sur les autres? Faire reconnaître le différend au cœur du langage, c'est faire de toute réalité et de toute expérience ce qu'elle est: une question de jugement, et cela, c'est la philosophie même. Faire valoir la philosophie dans le contexte contemporain et exhiber la portée politique des jugements qui tranchent ces différends, c'est tout un. Cela engage à traduire les questions politiques: formulées dans des idiomes qui les rendent insolubles, il s'agit de les formuler de façon à les rendre solubles. Quels sont les genres de discours qui rendent ces questions insolubles? Les deux régimes de phrases dans lesquels la philosophie elle-même reconnaît ses adversaires: son ennemi extérieur, le genre du discours économique (l'échange, le capital), son ennemi intérieur, le genre du discours académique (la maîtrise) (Cf. Enjeu, 11).

Défendre et illustrer la philosophie dans son différend avec le genre économique, c'est reprendre la question marxiste, la recherche de l'idiome qu'appelle la souffrance engendrée par le jeu du capital.

Le marxisme n'a pas fini, mais comment continue-t-il? Marx en 1843: "une classe avec des chaînes radicales, une classe de la société bourgeoise qui ne soit pas une classe de la société bourgeoise, une sphère qui ait un caractère universel par ses souffrances universelles et ne revendique pas de droit particulier, parce qu'on ne lui a pas fait de tort particulier mais un tort tout court." Le tort s'exprime par le silence du sentiment, la souffrance. Il résulte du fait que tous les univers de phrases et tous leurs enchaînements sont ou peuvent être subordonnés à la seule finalité du capital (mais celui-ci est-il un genre?) et jugés à partir d'elle. Celle-ci, parce qu'elle s'empare ou peut s'emparer de toutes les phrases, prétend à l'universalité. Le tort que le capital fait subir aux phrases serait donc un tort universel. Même si le tort n'est pas universel, le sentiment silencieux qui signale un différend reste à écouter. La responsabilité devant la pensée l'exige. C'est ainsi que la marxisme n'a pas fini, comme sentiment du différend. (§236, 246)

Défendre la philosophie contre le discours de maîtrise se fait en montrant les interlocuteurs aux prises avec la volonté de savoir et de pouvoir, en indiquant comment leur réflexion judicative s'empêtre dans les antinomies de la liberté, du monde et de Dieu transférées au niveau des univers de parole, c'est écrire 'Le différend' pour désanthropologiser la problématique philosophique du langage une fois qu'on a reconnu que les forces pulsionnelles de la réflexion empruntaient nécessairement les voies de ces antinomies et s'y neutralisaient. La subjectivité contemporaine est le fruit d'une subjectivité qui voulait faire son histoire en se sachant savoir tout ce qui devrait être su et en se sachant faire et vouloir faire tout ce qui devrait être fait. L'idéal transcendantal, comme lieu d'instanciation de l'idéal divin dans la réalité de l'homme, n'est pas seulement une 'idée,' il est également et surtout une 'tension' dynamique qui organise toute régulation du différend depuis les temps modernes. Il fait donc faire nécessairement l'expérience du tort causé aux divers régimes de discours en faisant apparaître la réflexion qui se fie à lui, incapable de régler effectivement un différend quelconque. C'est la souffrance



et la misère qu'engendre le tort qu'on fait ainsi au langage en général que fait valcoir la mise en évidence philosophique du différend au cœur des phrases. C'est ainsi que le philosophe rend à ses allocutaires la responsabilité de ses phrases: en montrant la nature de la nécessité de leur occurrence, la nécessité de trouver un idiome adéquat à chaque conflit rencontré et en rappelant l'injustice qu'on commet en se reposant sur les pré-jugements véhiculés par les genres de discours 'prêts-à-porter.'

L'enjeu dynamique de cette communication philosophique est donc de neutraliser les dispositifs réflexifs de sublimation des problèmes sociaux, ces dispositifs que les pragmatiques descriptives et normatives érigent en instance de jugement universel en favorisant un consensus aveugle, il est d'empêcher d'oublier la misère mentale et sociale qui s'exprime sous forme de différend. Car elle ne peut avoir force motrice qu'en étant mise comme telle en évidence: qu'en se jugeant exister. Le problème que rencontre la pragmatique du différend semble ne résider ni dans son échec psychique et social (comme les théories des actes de parole), ni dans son indétermination et son ambiguïté (comme les pragmatiques behavioristes), mais dans son excès de succès. Elle anticipe la nécessité de l'échec de toute communication en faisant de cet échec, le ressort de l'occurrence des phrases, sous la figure du différend. Le premier effet judiciaire de ce discours philosophique semble être de rendre abstraitement possible le règlement du problème politique comme problème du langage: elle est la première à l'analyser explicitement comme tel et à en faire la *réalité* du langage. Le *différend* radicalise en effet le diagnostic porté par JFL dans *La condition post-moderne*. (Paris: Editions de Minuit, Collection 'Critique', 1979): la réalité sociale et psychique du contexte contemporain y était décrite comme celle de l'éclatement des jeux de langage et institutionnels livrés par les traditions archaïques et la réflexion des temps modernes. Cet éclatement est ici affirmé être la loi d'occurrence et de production des phrases et du discours, sa force et sa validité sont indépendantes du contexte contemporain même si celui-ci permet de le situer, comme différend, à la racine du langage. Plus radicaux que les succès de vie ou de mort dûs au fonctionnement du langage, apparaîtraient ses succès et ses échecs ontologiques: les succès et les échecs des jugements par lesquels, par exemple, on condamne autrui (ou soi-même) au silence et à l'inexistence en lui (ou en se) déroband la possibilité de juger ses propres jugements. A cet égard, les jugements fascistes et les pratiques d'Auschwitz semblent à JFL livrer la leçon paradigmatique du contexte contemporain, comme ils l'avaient livrée à T. Adorno. La monstration philosophique de la radicalité de ces échecs incline, elle, sans nécessiter, à trouver le nouvel idiome permettant d'assumer le conflit sous-jacent à ces échecs.

Mais elle incline sans nécessiter parce qu'elle emprunte précisément les catégories de la conscience, du jeu de certitude qui mobilisait l'univers husserlien et cartésien. Ces catégories permettaient à cette conscience de se neutraliser et de se causer un tort essentiel: celui de s'obliger à reconnaître qu'elle ne savait que ce qu'elle n'avait pas besoin de savoir, qu'elle ne disait que ce qu'elle ne voulait pas dire, que ce qui l'empêchait de dire quoi que ce

soit. L'essence de l'objet dite en chaque proposition était ce qui était inaccessible à une conscience perceptive vouée à la multiplicité des perspectives. Cette multiplicité devient ici, dans l'idiome d'une phénoménologie pragmatique, la multiplicité des régimes des phrases et des sens que la conscience verbale se rend disponibles dans une situation de parole donnée. Ce qui a force motrice et novatrice est le geste d'invention et d'imagination verbale par lequel cette conscience transforme cette multiplicité de sens en une seule et unique perspective de phrase. Cette force de sélection a beau s'appeler 'jugement' aux yeux de la conscience, elle demeure magique pour la réflexion qui constate ou non son accurrence. Elle surgit comme résultat et production de l'imaginaire verbal, comme un résultat dont seules les conséquences (psychiques, sociales, cognitives perceptives, motrices ou consommatoires) autorisent à constater la pertinence ou l'absence de pertinence. Mais comme tel, comme jugement, il n'arrive jamais: il est soit toujours déjà arrivé (on est parvenu à formuler les phrases pertinentes), soit il n'est pas encore arrivé (seuls les succès ou les échecs de vie jugent la phrase qui n'était qu'anticipation de ce jugement de vie final). Cette absence d'occurrence du jugement est toujours heureuse: elle fait constater à la conscience qu'elle s'est toujours déjà fait tort à elle-même en oubliant la multiplicité des jugements disponibles pour se fixer à l'un d'entre eux.

Ce surcroît de succès, ce destin d'injustice que la conscience verbale se cause à elle-même s'avère encore une fois une vertu. Il ne manifeste que ce que le philosophe du différend voulait dire: présenter le problème du langage comme problème, sans prétendre le faire oublier comme tel, en le résolvant, en proposant un nouvel idiome. C'est en ceci que le verdict énoncé par JFL sur son ouvrage demeure philosophique: en se reconnaissant opérer la problématisation du langage qu'il effectue réellement lorsqu'il mime les gestes de la conscience ordinaire, non philosophique. Il ramène ainsi les pragmaticiens à la raison philosophique en les mettant et en mettant chacun dans la nécessité d'avoir à juger sans pouvoir se permettre de déléguer son pouvoir de juger à un consensus aveugle. L'emprunt de l'idiome de la conscience s'avère ainsi nécessaire pour instaurer le régime d'une politique philosophique, d'une politique du jugement. L'universalisation du différend produit son effet d'antidote para-pragmatique en exhibant l'aveuglement judiciaire qui grève les consensus: non seulement elle dénonce celui-ci, mais elle *fait sentir* que cet expédient ne peut remplir sa tâche magique d'orientation de la vie humaine qui lui est impartie, elle fait sentir l'inconvenance absolue du jugement illocutoire (privé) ou du jugement du consensus (public).

Parce qu'il radicalise sans complaisance l'enjeu et l'idiome pragmatiques en en sélectionnant avec soin les effets de compréhension des phénomènes et de transformation sociale, parce qu'il impose habilement les *leitmotive* les plus antagonistes et les plus pertinents de la philosophie contemporaine, cet ouvrage constitue d'ores et déjà un des instruments et des repères les plus précieux pour la discussion philosophique qui s'est ouverte, ces dernières années, entre les traditions philosophiques de langue allemande, anglaise et française.

JACQUES POULAIN  
Université de Montréal



COLIN MCGINN, *The Character of Mind*. Don Mills and New York: Oxford University Press 1982. Pp. vi + 132. US\$19.95 (cloth: ISBN 0-19-219171-3); US\$7.50 (paper: ISBN 0-19-289159-6).

Although this book is touted as 'an introduction to the philosophy of mind suitable for the general reader and beginning student,' it is fair to say that the beginner must at times be quite precocious and the general reader already generally acquainted with the subject matter. It does, however, provide coverage of a range of topics that is satisfactorily representative of central concerns in current philosophy of mind, and is in that sense a good introduction to the area. Its six chapters discuss, respectively, the varied nature of mental phenomena, the mind-body problem, the mind's acquaintance with perceptual and introspectional objects, the relationship between thought and language, action, and the self.

Advanced undergraduates might have fun tinkering with this book. Tyros, as McGinn himself allows, will be taxed — but sometimes unfairly, for he often seems to forget just who his intended audience is. (E.g., paragraph one of McGinn's mind-body chapter baldly states 'we equally recognize ... that the notion of a disembodied mind is [to say the least] of dubious coherence.' 'We' would certainly not include many students in introductory courses.) Also, the style — a profusion of colons and semi-colons, page-long paragraphs, absence of subheadings — doesn't make for easy reading. Moreover, the quality of the discussion is uneven. Some of it proceeds far too swiftly and equivocally, relies on weak arguments, or simply misdirects.

For example, the view that action is movement suitably related to certain causal antecedents such as trying is peremptorily dismissed on the ground that the same movement could have occurred in the absence of those causal antecedents in virtue of which an agent is said to act. One might as well argue that a husband can't be a married *man* because *he* might've missed the wedding! In the chapter on the self, we also find the misleading suggestion that as far as metaphysical criteria are concerned, it's a choice between a reductive criterion or no criterion — this, despite Davidson's famous criterion of event identity and ostensibly McGinn's own consciousness criterion for the mental.

On the positive side, McGinn's action chapter has a nice preamble on such action theoretic notions as active vs. passive and purposive vs. willed behavior. His mind-body chapter is quite tidy and also up-to-date in that it includes a defence of 'non-reductive monism' (= substance monism + property dualism + emergentism) and a discussion of functionalism. His thought and language chapter is an excellent antidote to those views which would have it that language is the measure of all things mental (although the fairly sophisticated self-consciousness he requires in chapter two for the very possession of propositional attitudes may not square with what he says here).

One serious philosophical difficulty concerns McGinn's account in chapter three of perceptual experience and belief derived from perceptual experience. For any experience, having a content is a condition of its existence. For perceptual experience, content and object are independent. Not only may

the content of an experience misrepresent its object, but phenomenologically identical contents could represent different objects and the same object could be represented by different contents. Therefore, McGinn claims, in describing the content of experience singular reference need not be made to the object of experience, and therefore an accurate description of the phenomenological content of an experience will employ only *general* terms to specify how the experience represents the world. The singularity of perceptual experience is fixed not by modes of (re)presentation but by causal relations between the objects and the perceptual experience.

For belief derived from perception, McGinn claims, the concepts under which one brings an object into one's thoughts will match the concepts which specify the content of one's past experience of it. But there is no evident reason to grant this at all, especially in cases where the earlier content misrepresents the object in question. Representations can be transformed or replaced, as processing models of memory remind us. However, McGinn may have other routes to his intended conclusion that the content of a perceptual belief is also specifiable by general concepts.

This latter contention immediately clashes with the mundane fact that we do ascribe singular beliefs, i.e., beliefs whose specification involves mention of particular objects. McGinn's solution is to say that the content of such a belief combines both the perceptual content and the object in question. Many pretty ordinary sorts of belief are ruled out by this solution, though. For example, suppose Jones is blond and that as a result of having just seen his hennaed identical twin I express the belief that Jones has red hair. Ordinarily, one would want to say I have the false belief that Jones has red hair. On McGinn's account, I *must* be mistaken about having the belief I profess to have. Surely this is unacceptable.

McGinn's approach leads to this absurdity because he fails to take seriously the fact that what people can represent to themselves outstrips what is presented to them phenomenologically. A man may have an experience 'as of a rubber duck, but his belief may go farther and take this as an experience of *his* very own rubber duck (for which he has fetishistic regard, let's suppose), whether or not there is a rubber duck present or the right one. Objects don't help us with the singularity of belief here. Nor would they help us with the singularity of a belief one might mistakenly believe oneself to have, since that would presumably be to represent it to oneself as one's singular belief.

Additional difficulties arise out of McGinn's treatment, in the same chapter, of introspective acquaintance with mental states. These concern his incorrigibilistic claim that an experience 'as of' a pain (say) must take a pain as its object. Part of the problem here is terminological. What is wanting in McGinn's treatment throughout is a systematic distinction between that awareness which involves judgment and that which doesn't. To be sure, sensations don't come in experiential disguises the way perceptual objects sometimes do. But McGinn seems to have something more in mind, since on his view introspective awareness serves to bring sensation under general concepts. And there we can go just as wrong as in those perceptual judgements where we bring what we do perceive under the wrong concepts.



No doubt some of the flaws I have pointed to in this book are in another sense virtues, in that they can be quite handily exploited for pedagogical purposes.

KARL PFEIFER

University of Saskatchewan

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EDGAR MORSCHER and RUDOLF STRANZINGER, eds., *Ethik-Grundlagen, Probleme und Anwendungen*. Boston: D. Reidel (for Hölder-Pichter-Tempsky, Vienna) 1981. Pp. 525. ISBN 3-209-00280-0.

The contents of this large volume are the proceedings of the 5th International Wittgenstein Symposium, which met in Austria during August 1980. The reader who orders the book sight unseen is apt to be surprised, possibly disappointed, at what he gets. The title is slightly misleading, since two of the twelve chapters have nothing to do with ethics. More important, however, is the fact that nine of the chapters have nothing to do with Wittgenstein or his philosophy.

The volume contains ninety-four papers, the work of ninety-five philosophers. (Stephen Körner has two papers, and there are two co-authored papers). Twenty-nine of the papers are in German, including both papers by Körner. There are papers by several well known philosophers, including Kurt Baier, Newton Garver, Jaakko Hintikka, Brian McGuinness, David Pears, Bernard Williams, and Elizabeth Wolgast.

The reader will be struck by the fact that many of the papers are very short, some only two pages, others four to six pages. I estimate that each full page contains 450 to 500 words. It doesn't say so in the editor's introduction, but I think it is likely that at least some of the short pieces in the book are merely summaries of the papers which were delivered at the Symposium. Yet some of the longer short papers, the five and six page pieces, do seem complete as they stand. There is no clear way to determine which papers are which, that is, which are summaries and which not. The reader's frustration will be reduced, perhaps, by the editor's inclusion of a list and index of speakers at the end of the book, complete with mailing addresses. I found two of the very short articles provocative enough to warrant a letter to their authors.

The first ten chapters of the book deal with a broad spectrum of topics in ethics — Chapter 1, Normative Ethics: Chapter 2, Analysis of Ethical Propositions and Ethical Concepts: Chapter 3, Cognitivism in Ethics?: Chapter 4, The

Problem of Justification in Ethics: Chapter 5, Logic of Normative and Evaluative Propositions: Chapter 6, Decision- and Game-Theoretical Aspects of Ethics: Chapter 7, Ethics and Theory of Action: Chapter 8, The Problem of Justice: Chapter 9, Ethics and Its Applications: Chapter 10, Wittgenstein on Ethics. Each of these chapter headings obviously encompasses a broad range of possible topics in ethics, so the individual chapters in this book provide a rather loose collection of papers. Under the heading 'The Problem of Justice,' for instance, the reader will not find any one problem or kind of problem being addressed by the seven contributors. The most unitary chapter is probably 'Wittgenstein on Ethics.' The six articles in this chapter are all short (3 to 5 pages).

The last two chapters of the book are concerned with Wittgenstein — Chapter 11, Wittgenstein and Kant: Chapter 12, The Philosophy of Wittgenstein. Chapter 11 contains one of the longest (16 pages) and most interesting papers in the book, Jaakko Hintikka's, 'Wittgenstein's Semantical Kantianism.' Hintikka supplies an insightful exposition of two ideas, one from Kant and one from Wittgenstein, then tries to relate these ideas to one another, to show where they are similar and where different. The idea from Kant is that things in themselves are not knowable. The idea from Wittgenstein is that 'semantical relations are ineffable.' We cannot pry language off the world in order to examine how the two are related.

Hintikka has some fresh observations to make about Kant's theory. First he argues that the Kantian concept of a thing in itself 'has a bite only in so far as one can identify and analyze the specific ways of coming to [know] objects in abstraction from which we are supposed ... to consider things when they are considered *an sich*. The concept serves to mark the boundaries of the legitimate use of the knowledge-seeking processes so identified (376).' What are the processes through which we humans come to know particular objects? Kant's answer is that sense-perception is the crucial process. Hintikka's own view is that Kant's answer represents a fundamental philosophical mistake, that in truth sense-perception is only 'a very special case of the ways in which we come to know individual objects (376).' This mistake leads Kant to suppose that by things considered in themselves we must mean entities considered otherwise than as possible objects of perception. Hence things in themselves seem clearly unknowable. But Hintikka cleverly argues that even given Kant's mistake we should not at once conclude that things in themselves are unknowable:

Things might be knowable even in their unsullied state independent of our knowledge-seeking activities and independent of the mechanisms these activities use if we could, as it were, subtract the contribution of these activities to our *prima facie* knowledge from its sum total. When our contribution is removed, the residue is due to the objects of knowledge and represents genuine knowledge about them *qua* things in themselves. ...

Thus if things in themselves are unknowable, it must be that our knowledge-seeking processes and the conceptual structures they involve are unknowable. (377)



But this won't do, since our perceptual processes *are* knowable. The Kantian concept of a thing in itself is not viable. Now Hintikka thinks that the Kantian idea of the unknowability of objects in their virgin state is reproduced in Wittgenstein as 'a thesis of the ineffability of reality independently of language' (378). He briefly evidences Wittgenstein's adherence to such a view in the *Tractatus* and then argues that the late Wittgenstein retained a version of the same idea. Semantics in the later philosophy is based upon language games and language games turn out to be ineffable; the rules of a language game cannot be understood apart from the total language game. The details of Hintikka's discussion here will be interesting to many philosophers.

Finally Hintikka asks whether Kant and Wittgenstein are right. Concerning Kant's solution to the problem of the limits of knowledge we get a clear explanation from Hintikka of what has gone wrong. Concerning Wittgenstein's view, however, he merely states, 'I don't believe in Wittgenstein's thesis of the logical primacy of language games over their rules' (390). It was not clear to me why Hintikka takes this stance.

The final chapter contains, among other things, an interesting historical article by David Pears, 'The Emergence of Wittgenstein's Logical Atomism.' Pears shows elegantly that Wittgenstein accepted two of Russell's four main ideas, but rejected the other two. 'He agreed that the basic vocabulary of any language consists of words whose meanings are the things to which they directly refer and that these direct referents are simple, but he disagreed with Russell's view that only sense-datum vocabularies are basic and he adopted a more stringent criterion of simplicity than Russell's' (488).

In summary, this volume may prove useful in two ways. First, it gives all of us an opportunity to find out what went on at the International Wittgenstein Symposium in 1980. No doubt this is a sufficient justification for the publication of this rather disjointed collection of papers. It is also a good reason for acquisition of the book by college libraries. Second, the philosopher who is working in ethics or in the philosophy of Wittgenstein should find at least a few articles of interest to him among the ninety-four included here.

WILLIAM DAVIE  
University of Oregon

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BETTY REDFERN, *Dance, Art & Aesthetics*. London: Dance Books Ltd. 1983. Pp. 131. £8.95. ISBN 0-903102-73-0.

Despite its title, most of this book is concerned with summaries of positions

taken on several questions fundamental to the philosophy of art in general: what is art? what is aesthetic experience? what are aesthetic qualities? how do we justify aesthetic appraisals? One topic is quickly disposed of, as the author claims that expression in dance has already received adequate treatment elsewhere. She does not, however, tell the reader where. Nor does she explain her omission of such crucial subjects as representation, identity, and style.

With regard to her chosen questions, Redfern quotes, with apparent approval, various sets of approaches, including those directly opposed to one another, and invariably arrives at the same conclusion: lively critical debate is good for the development of the art.

The single chapter on dance fills a mere five and a half pages and is chiefly devoted to explaining its neglect by philosophers: the lack of an adequate notation, the critical focus on the dancer rather than the dance. Throughout the book the author laments the paucity of literature on the dance, of serious thinking about dance. Her bibliography seems to support her contention, but even a casual scrutiny of her list reveals shocking omissions. No notice is taken of the work of Jean Georges Noverre, the most famous of a number of important eighteenth-century dance theorists of whom only Charles Batteux is cited. There is no mention of such significant modern contributors as Rudolf Arnheim, Raymond Bayer, David Michael Levin, André Levinson, Paul Valéry ... Even though the author does not directly refer to these writers, one would expect to see them in any bibliography of a book said to treat aesthetics with 'dance as the principal focus of concern' (1).

Apart from that one chapter which claims to deal with 'the aesthetics of dance,' references to the art are meagre — a few titles are thrown out as examples, a few choreographers are mentioned in passing. The philosophical principles, which are described at length, are scarcely ever applied to dance, and when they are the results are hardly illuminating. With respect to the idea that a work must be perceived within a context of known art works: 'Anyone unfamiliar with Contemporary dance, for instance, would be likely to find it difficult to accomodate within the idea of art some of, say, Merce Cunningham's later pieces ...' (39). Why Cunningham? What about the later pieces makes them so difficult? The point is not investigated; it is simply made and dropped.

The superficial procedure is characteristic. Within a few pages Redfern begins a discussion of appraisal as affected by previous knowledge of the life of the author, goes on to consider changes made in a work by different interpreters, and urges that an acquaintance with music criticism may be valuable to an understanding of dances inspired by music. The reader is then told that an aesthetic object may bear a variety of interpretations, but not just any interpretation will do; imagination must be 'restrained and controlled by the structure of whatever is the object of attention' (111). But what precisely is the object of attention? What is the relation of the work to any particular instance of it? What is structure in dance and how is it perceived? She never even attempts to confront such issues, which are central to dance aesthetics.



Redfern states that her purpose is to provide an introduction to aesthetics for students who have little interest or background in philosophy, and especially for dance students. But she also urges the reader to deal with primary sources. Indeed, an anthology would have served her purpose better. As it stands, the book's discussion of philosophical issues is elementary at best. And the dance examples are so vapid that it is hard to conceive of their stimulating the kind of lively critical debate the author deems so important.

SELMA JEANNE COHEN

International Encyclopedia of Dance

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BERNARD SEMMEL, ed., *Marxism and the Science of War*. Don Mills, Ont. & New York: Oxford University Press 1981. Pp. xvi + 302. Cdn\$54.95; US\$45.00 (cloth: ISBN 0-19-876112-0); Cdn\$26.25; US\$17.95 (paper: ISBN 0-19-876113-9).

Among the many anthologies of writings by Marx and Marxists Bernard Semmel has put together a rather interesting and unusual collection. Semmel's selections of writings in the Marxist tradition on war and military strategy not only present ignored aspects of the history of Marxism but provide an interesting counterpoint to the more well known debates about the scientific status of Marxism. The perspective of war and strategy also throws more light on recent revisions of Marxism in the Third World which, at least in Semmel's presentation, appear more centrally as matters of military strategy.

Semmel organizes the selections both historically and thematically. It begins with examples of the Marxist theory of war — mostly from Engels but including Trotsky. Then proceeds with sample analyses by Marx and Engels of historical situations involving military struggle. Semmel includes a more theoretical section on war and capitalism with selections from Luxemburg and Bukarin and a section of strategy which includes the most famous writings on guerilla war. The final section contains writings from Soviet authors on nuclear war. The selections are of course all quite short and some suffer from being excerpted. The concluding selections from the Soviets seem both dated and particularly uninteresting though this of course may be a matter of fact when dealing with Soviet theoretical documents.

The selections are interpreted by Semmel in a lengthy introduction which he justifies by claiming to correct a mistaken assumption of American foreign policy. Semmel argues that the Soviet views of war are still taken by the United States as wholly cynical, when it comes to their ideology, and in fact

not based on their view of 'science,' as understood in Marxist-Leninism. As Semmel quite rightly points out 'our' ideology, which the Soviet's in turn may view as a mere rationalization, can in fact determine policy judgements. However, this whole discussion raises more dust than light due to the inherent confusions in the use of the word ideology, which Semmel probably wisely avoids clarifying, and because the selections from the Soviet authors seem only to reinforce the view Semmel claims to be refuting — namely that much of this appeal to 'dialectical materialism' is complete verbal decoration for pragmatic or narrowly political choices.

If, however, the avowed purpose of the introduction fails another theme does in fact contribute something to the ongoing analysis of Marxism and its history. Semmel's thesis is that from the beginning Marxism took an ambiguous view of war, especially in terms of how it fits into the Marxist theory of explanation. In Engels, who of course did most of the writing on military issues, Semmel perceives a transition from a straight forward, even bourgeois, Clauswitzian empiricism to a later more dogmatic economism. This ambiguity in the writings of Marx and Engels is then inherited by the tradition — precisely as the opposition between scientism and the more flexible demands of political struggle. In this way war plays the role of a shadow battle for the political and ideological purity of Marxism. War by involving issues of technology, continuation of politics in another sphere, the role of masses and of course economic transformation should have been an ideal testing ground for Marxist theory. The fact that marxism failed to confront war as a phenomenon to be explained — and not dogmatically explained away — is simply an indication that by the time of the Third International interpretation of war had become a symptom for the inner disintegration of Marxism as a politics and a political philosophy.

As Semmel points out in the Russian Revolution we already see Trotsky's empirical and pragmatic view of strategy, which specifically argued against a metaphysical or dogmatic attempt to define Marxist principles of warfare in advance, being attacked as inconsistent with the 'truly proletarian military doctrine' of manoeuvre. The debate between the pragmatists and the systematizers was then reprised in the Chinese Revolution. Specifically Lin Piao defended the Chinese strategy of guerilla war as being a confirmation of Engels prediction, which in fact was more like Engels' attempt to avoid the issue, that each proletariat struggle would find its 'specific military expression.' However, the Chinese defense was neither historical, economic nor sociological, but wholly one of strategy and tactics. The strange blend of pragmatic manoeuvring with vague ideological justifications was then taken over by thinkers like Regis Debray, as the new Marxist-Leninist science of guerilla strategy. Of course this 'science' was nothing like the tool of historical analysis that Marx may have dreamed he was founding and offering to the proletariat. As we know, theory had become an appeal to doctrine sufficiently empty to provide justification for a bewildering proliferation of different political tactics and situations.

Unfortunately Semmel does not go far enough with any of these issues. He



does not ask what was meant by scientific, and, as already indicated, he simply used the word ideology with all its inherent problems. He does not enter into questions about historical explanation and as regards the history of Marxism he is both schematic and unaware of other debates that would, at the level of theory, have had some bearing on the issues of war and strategy. Finally there is throughout the work a thinly veiled bias. Semmel seems to hold that the Soviets, due to their ideology of dialectical negation, are responsible for the worsening nuclear threat. This is of course to accept with Soviet-like faith American ideology on these matters. The same would hold for Semmel's moral outrage at the latest code word 'terrorism' — a convenient definition of whatever violence falls outside of State power. Semmel also blames Herbert Marcuse and the Frankfurt School for defending a 'hero practice' view of Marxism and then adds ominously 'The Marxist "terrorists," who appear to think of themselves as following the teaching of leaders of the Frankfurt School, particularly of Marcuse ... have revived the tactics of Bakunin ...' These charges, even with the addition of quotation marks and the phrase 'seem to think of themselves,' of course states a connection that not only did not exist but in fact, as many know, was precisely the opposite. But if one wants a simpler way of understanding what I mean by Semmel's bias I will quote Semmel's extraordinary description of what happened to Rosa Luxembourg: 'She was peremptorily executed by armed units in the suppression of communist agitation against the post-war Socialist government.' How easily a terrorist torture-murder becomes 'peremptory execution' when done by the State or done against the revolutionary.

ROBERT D'AMICO  
University of Florida

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PETER SINGER, *Hegel*. Don Mills, Ont. and New York: Oxford University Press 1983. Pp. xii + 97. US\$13.95 (cloth: ISBN 0-19-287565-5); US\$3.95 (paper: ISBN 0-19-287564-7).

To introduce Hegel to the layman in 86 pages is no easy task. Yet, in his contribution to the Oxford Past Masters series, Peter Singer not only made the attempt, but has achieved a fair measure of success.

Singer starts from the philosophy of history, moves on to the political philosophy, and reserves his longest discussion for the *Phenomenology*. A final brief description of the dialectic opens the way to his conclusion that Marx brings the Hegelian project to its proper culmination.

In such a brief compass, Singer cannot, and does not, pretend to unravel large and complicated skeins of Hegel's text. He deliberately selects: history is the progress of freedom; the ultimate political achievement is freedom in community; knowledge is illustrated by sense certainty and the master-slave episode; dialectic is thesis, antithesis, synthesis. In every such selection, there is a simplification, and it would be easy to cavil at the way it distorts the brilliance of Hegel's achievement. But what is impressive is the way in which Singer's simplifications do justice to what Hegel is about. He makes Hegel's philosophy plausible, and in doing so he confronts the challenges of Popper and others who have dismissed Hegel. In Singer's view, Hegel is not talking nonsense, but is building with some measure of insight on the work of his predecessors. When the reader begins to get restless over several precious pages spent on Kant, for example, Singer responds by showing how Hegel criticizes and transforms the critical philosophy. And all this is done in a language that resists technical terms and in a style that is unashamedly popular. Frequently, Singer anticipates the uninitiated reader's objection, only to show that Hegel has a legitimate way of responding.

Of course, it is easy to point to weaknesses. The most glaring is his confusion of absolute idea with absolute spirit in his chapter on the logic, so that it is the *idea* which encompasses all nature and history. This misses the way in which nature is the reaction to pure thought, and spirit (including history) is the way in which idea and nature are reintegrated. Less obvious, but equally important, is the failure to acknowledge the element of negativity and opposition involved in freedom, in reason's universals, and in the culminating community. When that is taken seriously, a universal is no longer simply what is common or shared, but is a comprehensive inclusion of differences and conflicts. Similarly, what is rational becomes not a Kantian ideal, but a recognition that all positive claims are partial and relative. Singer's failure in this regard is symbolized by his deliberate choice of 'mind' rather than 'spirit' as his translation for *Geist*.

While it is easy to carp, it is not easy to imagine an approach to Hegel in 80 odd pages which could do better than Singer's. One is impressed by the way in which he starts from the lay reader's natural attitude, and in easy steps shows how it misrepresents reality and how Hegel's approach is better. And there are so many judgements and explanations that move in the right direction, that one is seldom afraid that the reader is being led astray. Here there is no Spinozistic mysticism, nor trite formulas, but individual freedom is shown to be incomplete without an ordered society; and the knowledge of an external world requires an understanding of the self who knows.

The major question with Singer's work is whether he is so enamoured with Marx, that he fails to see Hegel's implicit criticism of his successor. The central role of negativity in freedom and in reason subverts any effort to reduce the world to mind or to integrate everything in a divine reality. Indeed, it might also involve, for Hegel, the recognition that his own achievement is not the last word forever, but will itself be challenged and transformed in his future. The destructive yet creative force of continuing conflict and



difference is what is ignored in Marx's descriptions of the classless society with which Singer concludes. In other words, there may be ways in which Hegel could be justified, even against many of Singer's criticisms.

The last word, however, must be one of praise. This book will not be a source for serious students of Hegel. But it was not intended to be. It is to make accessible to a lay reader with little or no philosophical training some of the insights and perspectives of one of the most comprehensive, yet abstract, philosophers of modern time. To have done that as well as this little book does is no mean achievement.

JOHN BURBIDGE

Trent University

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JAMES TULLY. *A Discourse on Property: John Locke and his Adversaries*. New York: Cambridge University Press 1981. Pp. xiv + 194. US\$22.50. ISBN 0-521-22830-1.

Tully's book aims to 'recover the meaning which John Locke intended to convey in his theory of property in the *Two Treatises of Civil Government*.' The meaning of Locke's theory is in need of recovery because, on Tully's view, influential 20th century interpreters have incorrectly painted Locke as an early defender of capitalist property rights. Two prominent examples are C.B. Macpherson's *The Political Theory of Possessive Individualism* and Robert Nozick's *Anarchy, State, and Utopia*, in which we find a Marxist and a libertarian agreed that Locke justifies virtually unlimited private acquisition of land and the correlative right to hire wage labor. Tully rebuts their view of Locke by examining the *Two Treatises* in relation to (1) Locke's epistemological foundations in *The Essay Concerning Human Understanding*, (2) the body of natural law doctrine to which Locke was contributing, received mainly from Grotius, Pufendorf, and Suarez, and (3) the political and social context of Locke's 17th century England. The result is an exegetical work that does considerable damage to current and widely accepted interpretations of Locke's theory of property.

Throughout Tully disputes the traditional picture of Locke as the philosopher of atomistic individuals whose primary obligation is a negative one — i.e., to respect the natural rights of others not to be interfered with in their private pursuits. Tully highlights the Christian and Thomistic foundations of Locke's thought, according to which individual liberty is exercised within the framework of purposes set for human beings by their creator.

Natural law must be seen as a set of self-evident rules for achieving divinely ordained ends. So understood natural and conventional rights are defined and limited by the positive social purpose, ordained by God, to preserve humanity and further mankind's enjoyment of the earth.

In contrast to Macpherson's work, Tully directs our attention to the explicit political target of Locke's *Two Treatises* — Filmer's defense of arbitrary and unlimited royal authority. At the basis of Filmer's theory is the divinely given patriarchal right of private property on which all forms of existing authority are claimed to be founded. In order to defend the idea that royal authority is limited, and resistance to tyranny justified, Locke needed his own theologically grounded theory of property. Hence he begins his argument against Filmer with an alternative interpretation of *Genesis*. God gave the earth not to Adam — and derivatively to fathers and kings — but to mankind in common. The philosophical problem Locke faces is thus posed by his theological premise. He must justify the coherence of the idea of the earth as mankind's common property and show its consistency with at least some familiar and viable form of property rights. This in turn required Locke to respond to the leading 17th century natural law theories of property — in particular those of Grotius and Pufendorf — which held the very idea of common property to be unintelligible. On their view common ownership implied the completely impractical idea that each individual owner had a right to use the entirety of what was commonly owned. Originally therefore the earth had to be unowned. But because men found the state of natural non-ownership strife-torn and chaotic, they instituted by convention the remedy of private appropriation. Their reasoning lead them by this route to the conservative view that government is obliged to enforce existing conventions of property regardless of the inequalities to which they lead.

In his review of Locke's natural law predecessors Tully draws our attention to the fact that Grotius and Pufendorf had already justified a right of unlimited appropriation based upon an explicit repudiation of the idea of the earth as mankind's common property. Tully argues that it would have been pointless for Locke to begin his theory from the anti-acquisitive and communal Thomistic premise discarded by these rival views only to reason circuitously to an identical individualist and inequalitarian conclusion. On the contrary, Tully argues, Locke's aim is to salvage the idea that the earth is God's gift to mankind in common in order to block any justification of unlimited private appropriation of land. He reformulates the idea of common ownership to mean not that each individual has a claim to the whole, but rather a right to benefit from the use of some portion for the satisfaction of his needs. For Locke the condition of common ownership is neither paradoxical, impractical, or chaotic. Its viability, indeed its reality, was proved by contemporary experience with the English commons.

To clinch his case Tully discusses at length the controversial passages in chapter five of the *Second Treatise* in which Locke explains the transformation of natural property into conventional property. Locke proposes that the conventional introduction of money as a non-perishable source of value is the



origin of positive property rights and unequal possession of land. Macpherson contends that here Locke identifies the hoarding of money with the accumulation of investment capital and by this route attempts to justify the essential features of bourgeois property — unequal ownership and wage labor — on the grounds that it increases production and benefits the dispossessed. In rebuttal, Tully points to passages in the *First Treatise* where Locke clearly states that no one may be forced to labor for another out of need. Indeed the needy are said to have a claim to the property of those who enjoy abundance. In light of this contracts between 'masters' and 'servants' must be voluntary for Locke in a sense completely inconsistent with the capitalist wage relationship. Tully also denies that Locke identified the hoarding of money with capital accumulation and finds instead that for Locke hoarding gold is an intrinsically unproductive and morally suspect activity. Since the practice leads to a condition of scarcity where the 'as much and as good left for others' proviso is violated, civil government must be founded to reformulate and regulate the convention of private appropriation in conformity with the natural law principle of the common good.

*A Discourse on Property* can be read as a philosophical counterpart to Karl Polony's *The Great Transformation*. Like the latter it locates the Lockean era prior to the development of genuinely capitalist institutions and a bourgeois social ethic. Tully's book is too an excellent work of historical scholarship. It argues its case from an extensive and careful review of Locke's writing in social philosophy, as well as from reflections on the intellectual, economic, and political developments of the day. The reader may not be convinced that Tully always renders Locke's theory of property perspicuous. Especially in his discussion of Locke's theory of transition to positive property rights in chapter five Tully must say more to reconcile the role attributed to government in this section with Locke's account of the origins and purpose of political society in chapters seven through nine. Still, his work clearly advances our understanding of John Locke's place in the intellectual transition from mediæval to modern society.

JOHN EXDELL

Kansas State University

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J.O. URMSON, *Berkeley*. Don Mills, Ont.: Oxford University Press 1982. Pp. vi + 90. ISBN 0-19-287546-9; ROGER SCRUTON, *Kant*. Don Mills, Ont.: Oxford University Press 1982. Pp. ix + 99. ISBN 0-19-287577-9.

These two books belong to the 'Past Masters' series of Oxford University

Press. They do not presuppose any prior knowledge of philosophy and are meant to introduce the uninitiated to Berkeley and Kant by reconstructing and explaining their thought in a thoroughly modern idiom — a task that is as difficult as it is useful. The final test for both books will be their appeal to those who are not already persuaded of the importance of Berkeley and Kant. And the question is whether they will turn out to serve only as convenient sources for students from which to get prejudices concerning what Berkeley and Kant 'really' meant, or whether they will lead their readers to the study of Berkeley's and Kant's texts themselves.

Urmson, though he admittedly makes no attempt at a 'rigorous avoidance of expressions of praise and agreement or of condemnation and disagreement,' sees his aim mainly as 'describing the life and works of Berkeley, not to defend them or adversely criticise them' (84). And while he does not want to persuade his readers to accept Berkeley's 'new insight' that matter does not exist and that the concept of matter is superfluous and even unintelligible, he does hope to show that Berkeley's thought 'is the work of one of the worlds great philosophical geniuses and worthy of admiring study' (1).

Urmson is most successful. His sympathetic account represents Berkeley against the background of the 'corpuscularian philosophy' or the 'atomical hypothesis' (chapter 1), arguing that his immaterialism is a revolt against this 'philosophical and scientific outlook of the vast majority of seventeenth-century thinkers' (1). In this way he makes clear how Berkeley's thought not only offers an ingenious metaphysical theory, but also how Berkeley could have believed that he was more in agreement with common sense than were the materialists. Chapter 2 is concerned with Berkeley's views on matter. Chapter 3 deals with his immaterialism and its relation to common sense. Chapter 4 shows how Berkeley's theory accounts for empirical science. The fifth chapter represents his views on God and finite spirit, while chapter 6 treats mathematics. The most interesting part of the book is perhaps chapter 7 which deals with Berkeley's much neglected moral and political philosophy. Information about Berkeley's life can be found in the first part of chapter 2 and chapter 8. Urmson's well-balanced and admiring study of Berkeley is indeed designed to awaken interest in the study of Berkeley's own works.

Scruton's *Kant* is characterized by the same clear and crisp style of writing and exposition as is Urmson's *Berkeley*. Chapter 1, which deals with Kant's 'Life, works and character,' is followed by a short account of 'The background of Kant's thought' (actually a summary of the standard view on Kant's relations to Leibniz and Hume). The next two chapters (3 and 4) deal with the *Critique of Pure Reason*. Their titles, 'The transcendental deduction' and 'The logic of illusion,' sufficiently indicate what they are about. Chapters 5 and 6 are about the *Critique of Practical Reason* and the *Critique of Judgment* respectively, while the last chapter (7) treats the early reception of Kant's philosophy.

When Scruton tells his reader not to be 'surprised if he has to read this introduction more than once in order to appreciate Kant's vision' (Preface), he actually suggests that Kant's vision *can* be acquired on the basis of his in-



troduction. Though he also points out that in order to 'acquire a full appreciation of Kant's work' one must experience 'the order and connectedness that his vocabulary imposes upon the traditional problems of philosophy' (11), he thinks that his translation of Kant into a 'lowlier idiom' will allow the reader to get the gist of Kant's arguments.

His supercilious remark that

a commentator who presents clear premises and clear conclusions will invariably be accused of missing Kant's argument, and the only way to escape academic censure is to fall into the verbal mannerisms of the original. It has become, in recent years, slightly easier to risk this censure. (11)

suggests otherwise. Perhaps it has become easier to discount certain aspects of Kant as 'verbal mannerism' and to disregard them as not 'intelligible to *anyone*, even to Kant' (Preface), but that clearly does not justify this approach. In any case, it is far from clear that the exclusive 'or' between 'clear premisses and conclusions' and 'verbal mannerisms of the original' represents the true situation of the commentator of Kant. Scruton makes very clear that he is 'more influenced by ... contemporary studies of Kant than he is able to acknowledge' (11). Accordingly, what we get is not so much a picture of Kant as it is a picture of Strawson's and/or Bennet's picture of Kant. While there is nothing wrong with pictures of pictures or interpretations of interpretations per se, and while Strawson's picture of Kant is appreciative of important aspects of Kant, the value of an introduction to Kant that is, as it were, twice removed from reality may be questioned. I, for one, do not think it is well designed to bring out the features of the original. Scruton might have done better, if he had brought out more clearly the challenge that Kant's writings undoubtedly present to anyone who attempts to understand them on terms as closely approaching those of Kant as possible. Therefore, Scruton's *Kant* offers a good introduction to a certain way of reading Kant but not necessarily to the reading of Kant's texts themselves.

MANFRED KUEHN  
Purdue University

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T.M. van LEEUWEN. *The Surplus of Meaning, Ontology and Eschatology in the Philosophy of Paul Ricoeur*. Atlantic Highlands, NJ: Humanities Press, 1981. PP. 199. US\$18.50. ISBN 90-6203-763-1

In this monograph, the second in a series entitled 'Amsterdam Studies in

Theology,' published in Amsterdam in 1981 under the imprint Editions Rodopi, Theodor M. van Leeuwen has undertaken to present a systematic overview of the philosophy of Paul Ricoeur. One of the main virtues of this relatively succinct work is that the author has organized his material around what he takes to be — rightly in my opinion — the 'central intuition' in Ricoeur's philosophy (cf. Preface). This philosophy, as he says referring to a collection of essays in honor of Ricoeur published by myself a few years back under the title, *Sens et existence* (Paris: Seuil, 1975), is a philosophy of the meaning of existence, and the totality of Ricoeur's extremely numerous publications can, van Leeuwen maintains, be best understood when viewed in the light of Ricoeur's fundamental conviction that 'There is a surplus of meaning over meaninglessness' (1) in human existence. Ricoeur's philosophy is thus one which, from many different angles, seeks to maintain the primacy of affirmation over negation, of hope over despair (cf. 179ff). This leads van Leeuwen to devote his last chapter to a consideration of the religious implications of Ricoeur's thought.

The fact that van Leeuwen has, by concentrating on Ricoeur's 'central intuition,' succeeded in producing a highly coherent study which affords his reader an insight into just what Ricoeur is up to serves to excuse what might otherwise appear to be a rather strange way of ordering his material, for, contrary to what one normally expects in an exegetical work, he does not proceed in a chronological fashion, considering Ricoeur's works in the order of their publication.

After an initial chapter examining Ricoeur's formative relationship to Edmund Husserl and Gabriel Marcel and his early motivating concerns as a philosopher, he examines at length in Chapter II what he considers to be Ricoeur's most underestimated yet perhaps most noteworthy of works, *Fallible Man*. In Chapter III he jumps from a consideration of this relatively early work to Ricoeur's latest writings on hermeneutics, metaphor, and the mechanics of human language, winding up the chapter with a review of Ricoeur's work on Freud (which actually preceded his more recent linguistic studies). Chapter IV centers on the concept of evil and divides into two parts, the first treating of *The Symbolism of Evil* and the second Ricoeur's dual relationship to Kant and Hegel in regard to the question of evil. The short concluding chapter examines the relation of philosophy to pre-philosophical experience, on the one hand, and religious belief, on the other.

Although lacking in chronological logic, this study does possess a hermeneutical logic, which is precisely one of its merits. By structuring his book around what he takes to be Ricoeur's central intuition, he has provided his reader with a clear and coherent overview of Ricoeur's philosophical output which is enormous indeed and which, especially perhaps in the case of his latest, often highly technical analyses of language, is sufficiently complex as to leave many a reader unfamiliar with his earlier work at something of a loss when it comes to grasping its overall significance (it seems that some readers have even taken Ricoeur to be something of a structuralist!).

Van Leeuwen's discussions of various aspects of Ricoeur's philosophy are



generally succinct and clear. His characterizations for instance of the relation between phenomenology and hermeneutics, the main lines of Ricoeur's own hermeneutics, his relationship to Gadamer and Freud are especially enlightening. The reader should find particularly useful his discussions of *Fallible Man* and *The Symbolism of Evil*, two works which by reason of their complex structure are not the easiest for students to follow. In addition, the book contains a useful, fairly extensive bibliography.

On the negative side, it is unfortunate that it does not contain an index. Unfortunate also that it was not gone through by a conscientious copy editor fluent in English; the text contains a number of minor errors in English usage. In addition, no explanation is furnished for the indented, smaller type paragraphs occurring occasionally throughout the book (was the publisher simply seeking to limit the number of pages?). Finally, a word of warning is in order for the would-be reader: she/he should possess a fair reading knowledge of French. When quoting from the original French edition or from works of Ricoeur not translated into English, van Leeuwen quite often cites them in the original, without translation (he often quotes German authors in the original as well), and this is likely to cause problems for many an English-speaking reader (not everyone is multilingual as a matter of course as I imagine the Dutch and Flemish to be).

The fact remains that this is a work of serious and conscientious scholarship, generally well-written and reflecting a good understanding of Ricoeur's philosophy and its overall significance and which, with the above qualification in mind, can be recommended to all those interested in one of France's most respectable of living philosophers.

G.B. MADISON  
McMaster University

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PAUL VEYNE, *L'Élégie érotique romaine; l'amour, la poésie et l'occident*. Paris: Editions du Seuil, 1983. Pp. 256. FF85. ISBN 2-02-006555-X.

Paul Veyne n'est pas, à ma connaissance, un philosophe. Son style cependant et sa vision du monde romain s'alimentent de forme et contenu propres au langage socio-philosophique. Il a déjà démontré ses qualités de sociologue-historien dans son œuvre maîtresse *Le Pain et le Cirque* (Le Seuil, 1976) dont les réflexions touchent aux aspects irrationnels de la politique romaine.

L'ouvrage qu'il publie sur l'élegie romaine s'inscrit dans une recherche qu'il a entreprise sur l'amour à Rome, ce qui explique sans doute que l'élegie y

soit traitée sous l'éclairage d'une vérité et d'une esthétique qui risquent d'en fausser les données psycho-sociales et de ne lui pas rendre justice. L'élégie romaine, en effet, constitue un phénomène littéraire assez spécifique, lié à une révolution morale qui ne peut être comprise qu'à la lumière de son époque. Or, Paul Veyne a plutôt tendance à sortir non seulement du cadre élégiaque, mais encore des limites de l'antiquité pour s'appuyer sur une 'universelle non-vérité' en poésie amoureuse. Cette attitude le pousse dans le piège des extrapolations qui l'invitent à associer amour et érotisme, art humoristique et élégie, mythologie et science plaisante, courtisanes du vieux Japon et 'irrégulières' du demi-monde romain, style 'intense' et style 'cool' ... On a parfois l'impression, comme dans l'épilogue, que les mots 'amour, poésie et occident' formeraient un meilleur titre pour cette publication qui, pourtant, accorde une très large part à l'élégie romaine.

Ces réserves de fond mises à part, il est aisé d'admettre que l'auteur nous offre une étude, en soi remarquable, menée, dans un style ouvert et agréable, à travers un volume impressionnant de renseignements et réflexions. Il essaie de répondre aux traditionnelles questions sur l'identité de Lesbie ou Corinne, des héroïnes de Properce ou Tibulle et, en même temps, d'expliquer pourquoi les traits biographiques ou psychologiques que nous possédons d'elles ne s'accordent pas entre eux ni avec le monde que décrivent les élégiaques. Il tâche également de comprendre et identifier ce sentiment d'étrangeté qu'il éprouve à la lecture de ces poètes qui nous font entendre des accents de sincérité mais qui, en même temps, nous imposent de longues descriptions conventionnelles alimentées d'éléments mythologiques qui alourdissent ou coupent la simplicité des sentiments exprimés. Il cherche enfin à découvrir comment les apparentes incongruités étaient perçues par les lecteurs romains et à définir les critères qui soutenaient l'esthétique élégiaque.

Dans sa réponse, subtile et parfois suprenante, Paul Veyne rapproche l'élégie romaine de la poésie pastorale dont les bergers imaginaires vivent le même artifice que les 'maîtresses' des poètes élégiaques, dans un monde où l'on fait semblant, avec humour, d'être amoureux. Il prouve, par conséquent, que les élégiaques latins sont 'auteurs plus qu'amants et sont les premiers à s'amuser de leur fiction,' qu'ils manquent de sincérité passionnelle, qu'ils n'évoquent la réalité que par éclairs et par éclairs peu cohérents. Il tire ses preuves surtout des textes de Properce. C'est à lui qu'il fait encore appel pour dénoncer la plaisanterie, le contresens, la légende de la sincérité élégiaque, l'usage artificiel et pédant de la mythologie. Catulle et Tibulle ne participent pas beaucoup à son dialogue sur la question de la 'sincérité'; témoins un peu gênants, ils laissent la place à Properce, cible facile, car le problème 'poésie-vérité' est chez lui perçu avec plus de transparence.

Mais quoi qu'il dise sur le sujet, quelles que soient ces sources de justifications, Paul Veyne semble s'acharner à vouloir résoudre un faux problème. C'est lui-même, d'ailleurs, qui dit: 'Un poète n'est jamais sincère, puisqu'il est poète' (166). Il suffirait d'accorder ce même privilège à un poète romain, en lui concédant en même temps que son âme est capable d'exprimer des sentiments comme celle des autres hommes, pour éviter le danger du parti pris.



En insistant sur la volonté de ternir une des plus belles expressions de la littérature latine, l'auteur tombe souvent en contradiction psychologique avec la thèse fondamentale de son ouvrage, surtout quand il veut reprocher à l'élégie de ne pas être cohérente: 'L'élégie, production d'esthètes, dit-il à la page 62, n'est pas l'expression d'une affectivité ..., elle n'est pas davantage une fiction cohérente.'

Si l'élégie romaine n'est pas cohérente, il y a lieu de se demander si elle n'est pas plus sincère que les critiques qu'on lui adresse. Les 'esthètes' sont, en général, plus cohérents que les 'amants.' Une fiction bien pensée, bien orchestrée est sans doute plus cohérente que l'amour vécu qui est fait de tendresses et d'injures, de réconciliations et de protestations, de passion et de trahison, en somme, de misères et de grandeurs du cœur. C'est ce qui alimente les élégiaques latins, c'est-à-dire les poètes dont l'amour fait naître la poésie et la poésie fait naître l'amour.

DOMENICO FASCIANO  
Université de Montréal

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WILLIAM WALTERS and PETER SINGER, eds.: *Test Tube Babies: A Guide to moral questions, present techniques and future possibilities*. Don Mills, Ont. and New York: Oxford University Press 1982. Pp. 165. Cdn\$34.95: US\$19.95 (cloth: ISBN 0-19-554342-4); Cdn\$12.75: US\$8.95 (paper: ISBN 0-19-554340-8).

This collection consists of twelve original essays, a series of letters-to-the editor, two appendices and a glossary. Four of the contributors are on the faculty of the medical school of Monash University, and two are in the Bioethics Institute there. (Monash is a world center for *in vitro* fertilization.) Five others are divines located in Melbourne. Walters is one of the medical professors, Singer, the well-known philosopher. All of the essays are short, lucid, cogently argued pieces written for the lay reader. Two deal with technical aspects of IVF and more exotic or visionary reproductive technologies such as cloning and hybridization (of people and animals). The rest deal with moral aspects of the subject. Moral topics discussed include the status of the embryo, the question of informed consent, sexual ethics, effect on the family, effect on our notion of humanity, and questions of costs. These discussions are generally intelligent without being terribly interesting. One appendix discusses a public opinion poll in Australia, the other gives the ethical guidelines for IVF of Queen Victoria Medical Centre, Melbourne. The

5-page glossary includes a few philosophic terms, unhelpfully defined ('moral: relating to conduct that is considered to be good or evil').

If it is necessary to have a book on this subject, this one will probably do as well as any. But is it necessary? I once asked my class in bioethics to list all the objections they could think of to IVF. We came up with a list of about a dozen, not one of which seemed plausible enough to withstand five minutes analysis. We are faced with a worry gap: if there is some reason to be troubled by IVF (as some people evidently think there is) it hasn't been made clear what that reason is.

This book doesn't do much to close that gap; not surprising, in view of the book's genesis in an active IVF program. But the truth seems to be that there really is nothing very much to worry about. Consider some of the standard objections, all touched on in the volume: destruction of human life; separation of sex, love and reproduction; misgivings at 'fabricating' human beings; interference with the family; alteration (for the worse) of our concept of what it is to be human. A few comments reveal the thinness of these objections. The 'human life' issue is not even relevant to IVF unless one takes a position far stronger even than the 'life begins at conception' view advocated by extreme anti-abortionists. For even if you grant to the anti-abortionist that the zygote and the blastocyst (look these terms up in the book's glossary) have a right to life strong enough to outweigh the mother's interest in preventing life and so in terminating very early stage pregnancy, to make an argument relevant to IVF you would have to construe the right in such a way that it prohibits a procedure in which unnecessary zygotes are destroyed so that a child may be created. Anti-abortionists hold that the zygotes' right outweighs the mother's interest in terminating life, but anti-IVF-ers must hold the stronger principle that the zygotes' right outweighs the mother's interest in *creating* life *and* the interest of the new life in being created. Unless you are willing to attribute this strong right, it is difficult to see what relevance the 'status of the embryo' has to your view about the morality of IVF. (The book's two short essays on 'status of the embryo' fail to discuss carefully the question of exactly what it is the zygote's alleged rights might prohibit.)

The objection based on the separation of sex, love and reproduction seems to be little more than a misunderstanding. Sex and love for the infertile couple have already been separated from reproduction by nature. IVF makes it possible for a loving couple to reproduce, that is, IVF reunites (not separates) love and reproduction (though not through the medium of sex, which is however still present in the marital bedroom if not in the causal chain). It is hard to see why a technology which reunites love and reproduction should be thought of as morally objectionable on the sole grounds that it does not do so through sex. As for the objection based on 'fabricating' human beings, this seems to be based first on too rigid a distinction between the natural and the artificial (why is sex for the purpose of pregnancy no less morally 'fabrication' than IVF?) and second, on a confusion between IVF and genetic engineering, which IVF is not (but about which there *are* real moral questions). There is a lot of slippery-slope fear-mongering in many of the ob-



jections, but the differences between IVF and such fancies as breeding people for use as organ banks are so clear as to make future horrors seem palpable only to the most timorous. Much more worrisome is the prospect that *ex-utero* conception will be induced for the purpose of medical research. Alas, the present volume does not explore this issue. The book is also very light in its treatment of such real ancillary questions as whether IVF should be reserved for married couples, and, in general, what (if any) non-medical criteria should be employed to select candidates.

One of the essays deals with surrogate motherhood. As the author points out, surrogate motherhood is neither new nor a technology, the first recorded case being reported in *Genesis* 16. There are indeed real moral questions about this practice, but it does not seem helpful to think about them in the context of 'test tube babies.'

JOSEPH ELLIN

Western Michigan University

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C.J.F. WILLIAMS, trans. and notes, Aristotle's *De Generatione et Corruptione*. Don Mills, Ont. and New York: Oxford University Press 198. Pp. xvi + 239. Cdn\$35.75 (cloth: ISBN 0-19-872062-9); Cdn\$17.95 (paper: ISBN 0-19-872063-7).

Williams has provided a clear and helpful translation of a central, but sometimes neglected, Aristotelian work. *De Generatione et Corruptione* is chiefly concerned with explaining coming into existence and passing out of existence and with distinguishing those two sorts of change from all the other sorts (e.g., alteration, growth, aggregation and segregation). It is a difficult topic, rich with philosophical implication both for Aristotle's larger theory and for modern philosophical concerns; and Williams has clearly provided a useful service in making the work available, particularly to those whose chief interest is philosophical rather than historical. His extensive notes (they are 160 pp. compared to 59 pp. of translation) serve both functions of helpful notes: they guide the reader unacquainted with the general philosophical territory and they make enough controversial points to stimulate thought and discussion among those somewhat more experienced.

Aristotle wants to distinguish coming into being and passing out of being from other sorts of change in order to steer a course between the extremes of a changeless Parmenideanism and a completely unstable Heracliteanism. To this end, he adopts, the principle (in, e.g., *Physics* I, 7) that all change requires

a persistent substrate. This persistent substrate is called the *matter* for the change. The principle implies, correctly Aristotle thought, that there can be no coming into being from nothing nor passing away into nothing, for such changes would have no persistent substrate.

Such a general account of change seems plausible so long as it is accompanied by the claim that there are absolutely fundamental elements which serve as the matter for the most fundamental kinds of change possible. All change would thus be reckoned as, quite basically, the rearranging of the fundamental elements. Aristotle is an adherent of the Empedoclean theory of the four elements and so seems able to maintain a consistent line. (Empedocles himself held such a theory [see Frags. 11 and 12 as well as Aristotle's report at G and C 314 b23-24]). However, Aristotle raises a difficulty when he asserts for both theoretical and observational reasons (e.g., *De Caelo* III, 6, G and C 331a 8-12) that the elements can change into one another. In order to save the principle that all change requires a persistent substrate in the face of elemental change, most interpreters, including Williams, have argued that Aristotle is committed to the existence of *prime matter* which will serve as the substrate for elemental change. Though Williams's notes and Aristotle's text contain much else that is of interest, the remainder of this brief review will center on the discussion of *prime matter* contained in the appendix to the notes (211-19). The attention this issue has attracted in recent literature as well as its centrality to Aristotle's analysis of change will, I hope, warrant the somewhat narrow focus.

Williams argues (211) that

when one element, e.g., water, changes into another, e.g., air, there is some underlying matter which loses the quality of coldness and acquires its contrary, heat. This underlying matter, which persists through the change, is not itself perceptible, nor is it anything in actuality. It is not actually water or air, although it is both these things in potentiality, and indeed all things in potentiality. It is not body, but it is potentially so.

Among those who, like Williams, find Aristotle committed to prime matter, some regard the notion as an embarrassment for Aristotle's theory (a sort of *reductio ad absurdum* of the larger theory), while others take the notion to reveal an important metaphysical truth. Members of the former group generally find incoherent the idea of an undifferentiated, indestructable, inseparable and unknowable stuff which is actually nothing but potentially everything. Making such stuff what is absolutely fundamental to Aristotle's theory rests the theory, ultimately, they would argue, on a mystery. (At least some who embrace prime matter probably delight in just this mystery.) As Charlton has written, 'There could be no physical evidence for or against prime matter' ('Prime Matter: A Rejoinder,' *Phronesis*, xxvii [1983], 197). The argument about it must be waged on the metaphysical battlefield. There are three questions around which the discussion ought to revolve.

1. Why, if at all, should we resist the notion of prime matter?

Merely citing its mysteriousness is not sufficient. If Aristotle is to be able



consistently to analyze elemental change, something more fundamental than earth, air, fire, and water must be found. Why not prime matter? It is introduced largely to save the principle about persistent substrata for change. However, it seems to violate another principle: that what is cannot come to be from what is not. At more superficial levels, it is, of course, possible to produce something which is F from something which is not F. But at the fundamental level at which prime matter would be transformed into earth, air, fire, or water, such a phenomenon would seem absolutely mysterious. If prime matter is completely undifferentiated, how are we to account for the fact that some of it becomes air while some of it becomes earth? If it would be mysterious to have elemental change without a substrate, it would seem at least equally mysterious to introduce as the substrate for that change something which has none of the properties of either of the poles of the change. (Some might suggest that prime matter, far from lacking all of the properties of the poles of elemental change, in fact has, at least potentially, all of those properties. The mystery then is in accounting for the selective actualization of those potentialities.) This all suggests that if both principles (viz. the one about persistent substrata and the one about the impossibility of what is from what is not) are to go unviolated, it would be preferable to analyze elemental change by means of even more fundamental elements which serve as substrata for elemental change but cannot themselves be converted into one another.

2. What textual evidence is there that Aristotle was committed to prime matter?

Williams devotes the bulk of his appendix on prime matter to consideration of fourteen passages of G and C, eleven of which seem to commit Aristotle to prime matter and three of which point the other way. Charlton also considers texts (from G and C and elsewhere) which seem to point to prime matter. Both are careful scholars and reconsideration of the passages here would be impossible. The strongest textual evidence for prime matter in G and C is 329a 24 ff., but even that remains far from conclusive.

3. Is there any way to analyze elemental change without invoking prime matter?

Friends of Aristotle who regard themselves as doing him a service by saving him from his apparent commitment to prime matter have attempted alternative analyses of elemental change. Among the most promising are those developed by Furth ('Individuals at the Interface, and Related Matters,' unpublished) and Gill ('Laying the Ghost of Prime Matter,' unpublished). They agree that the possibility of elemental metamorphosis requires positing something more fundamental than earth, air, fire, and water; but they see Aristotle positing something besides prime matter to fill that role. They suggest the 'primary contraries' (329b 17) (Hot versus Cold, and Moist versus Dry). Thus, in a change from Fire (i.e., Hot plus Dry) to Air (i.e., Hot plus Moist), the Hot remains as the persisting subject while the Dry is replaced by the Moist. Sometimes, the change must be accomplished in two stages: when Fire changes to Water it must pass through the intermediate stage of Air. The

details of these alternative analyses of elemental change take us beyond the scope of this review, but they warrant further attention because, if correct, they will save the principle about persistent substrata without introducing *materia prima*. These recent analyses postdate Williams's 1982 translation and notes, but the recent flurry of activity on the issue of prime matter attests to the admirable clarity and suggestiveness of Williams's presentation.

DANIEL SHARTIN  
Clark University

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HOWARD WILLIAMS, *Kant's Political Philosophy*. Don Mills, Ont: Oxford University Press and Oxford: Basil Blackwell 1983. Pp. xii + 292. Cdn\$56.95. ISBN 0-631-13123-X

The publication of this book is the most recent indication of the renewed interest in a branch of Kant's moral philosophy whose significance has often been depreciated. Williams provides a general account of Kant's views on many of the standard issues of political philosophy: man's place in history; the relationship between politics and morality; the conceptions of justice, property, contract, marriage, and international relations; the philosophical foundations of the state; the nature of authority. Aside from these traditional topics, Williams enterprisingly includes an account of the Marxist criticisms of Kant formulated by Lucien Goldmann and Herbert Marcuse. The book concludes with a short and helpful recapitulation of the assessments of Kant which have emerged from the individual chapters. Throughout Williams draws suggestive comparisons between Kant's ideas and those of his successors, especially Hegel, and predecessors such as Machiavelli, Rousseau, and Locke.

This book then, is different from other recent works on Kant's political philosophy. It does not, like Hanna Arendt's *Lectures on Kant's Political Philosophy* concentrate on the relevance to Kant's conception of politics of apparently non-political writings. Nor is it a creative thinking through of Kant's thought, as was Susan Meld Shell's *The Rights of Reason*. Rather it is a survey of Kant's opinions on a variety of topics which have traditionally engaged the attention of political theorists.

In his preface Williams makes two claims for his book. On the one hand, he thinks that he has overcome a major defect in previous expositions of Kant's political philosophy by demonstrating its connection with the principal tenets of Kant's critical philosophy. This explicit statement in the



preface is welcome, since without it the reader would not have been able to surmise that this task had been seriously attempted, let alone accomplished.

On the other hand Williams announces that his work will provide nothing more than an introduction to Kant's political philosophy and that he assumes no prior knowledge of Kant's writings. A person approaching Kant's political philosophy for the first time will indeed find in this book a useful compendium of Kant's attitude to a wide variety of issues. But one will not go to this book when faced with a crux in Kant's text or when trying to think through the implications of a particular Kantian statement. Rarely are Williams' comments sufficiently developed to be of assistance in the increasingly illuminating struggle with Kant's thought. For instance, Williams draws on a previous article of his (*Philosophical Quarterly* v. 27 [1977]) to point to a supposed contradiction between the coercive enforcement of property rights and the original community of ownership. Williams' criticism is that one cannot suppose that the existing distribution of property can be subject both to the coercion of positive law and to an original pre-positive agreement (93). But Williams does not explicate what Kant means by the original community of ownership and his assumption that Kant is referring to the existing distribution of property is certainly wrong.

The most novel feature of this book is the inclusion of an account of the criticisms of Kant by Goldmann and Marcuse. The relation between Marxism and Kant, and the parallelism between the abstractness of capitalist exchange and Kantian moral action is a crucial but neglected aspect of the evaluation of Kant. Williams, however, does not develop this theme as such and spends almost the entire chapter in summarizing the easily accessible views of Goldmann and Marcuse in turn.

In sum, this book may find a modest niche in introductory courses. Philosophers interested in Kant will go elsewhere. Unfortunately, the excessive price of the book will make its purchase a temptation only to those who will profit least from its perusal.

ERNEST J. WEINRIB  
University of Toronto

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